

COLLECTIONS

Relating to the

H I S T O R Y

O F

M A R Y

Q U E E N

O F

S C O T L A N D.

V O L. IV. In two PARTS.

P A R T II.

L O N D O N:

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COLLECTIONS

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OF THE

PART II

MARY

QUEEN

OF

SCOTLAND.

VOL. IV. THE LAST

PART II.

LONDON

Printed by James Bennett, MDCCLXXIII.

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The Con-

THE
CONFERENCES

AT

York, Westminster, and Hampton-Court,

BETWEEN

The Commissioners of *Mary* Queen of *Scotland* on the one
Part, and the Commissioners of her Son the Prince, com-
monly called the young King on the other Part.

BEFORE

The Commissioners of *Elizabeth* Queen of *England*,

WITH

Several authentick Papers relating to these Conferences.

CONFERENCE

THE

York, Westminster, and Hampton-Court,

BETWEEN

The Commissioners of Mary Queen of Scotland on the one
Part, and the Commissioners of her Son the Prince, com-
monly called the young King on the other Part.

BEFORE

The Commissioners of Elizabeth Queen of England,

WITH
Several authentic Papers relating to these Conferences.

COMMISSION *by the Queen of England, to the Duke of Norfolk, the Earl of Suffex, and Sir Ralph Sadler.*

A Copy.

ELIZABETH by the Grace of God Queen of *England, France, and Ireland*, Defender of the Faith, unto all manner of Persons to whose Knowledge these Presents shall come Greeting. Forasmuch as the Almighty and most merciful God, hath so singularly beyond all former late exemple, to be found in any of our Predecessors Kings of this Realme, blessed us and our Country from the Beginning of our Raigh, with such a perpetual and universal inward good Peace and Tranquility, as no manner of our Adversaries either by their Power and Forces abroad, or by their Provocations of any of our Subjects at home, could hitherto interrupt or discontinew the same; and that it is for all Cristians very lamentably to be seen and heard, how the more Part of all the Regions in Europe, and specially those which are next to us have, or do lack the like singular Blessing of Peace by one Occasion or other: We sitting under the Protection of the same Almighty God as it were by his Goodness in the Chaire of Peace, cannot

but of most bounden Dewtie first recognize with all humbleness and thankfulness for our selves and all our People, the Blessedness to procede only and freely of the mere Goodness and singular Favour of our mercifull God, with which also is joyned through his special Goodness the Revelation of his holy Will, by the Dispensation of his Gospell in our Countries, and next there to indeavour our self by all good Means to use this Opportunity of our peaceable Reigne, to the reliefe and ayde of our Neighbours, being destitute of Peace and afflicted with evill Warrs. And therefore, considering our Dere Sister and Cousyn *Mary Q. of Scotts*, being of all other Princes next to us both by Blood and Habitation, hath been through long Differences betwixt hir and her Subjects constrained to come into this our Realme, whom we have caused to be entertayned with as much Favour and Comfort as the Hardness of the Time, the Nature of the Place, and other Circumstances for the which hir Subjects pretended there Separation from hir, and have submitted themselves under ane Obedience to the Prince her Son, could permitt us. We have thought it first consonant to the Dewty we bear to Almighty God, who is the God of Peace, and next mete for our State being called by God's Grace, as she also hath byn to govern over Kingdoms, and lastly, agreeably with Cristian Charity, whereby we are bound to our Power to releave our Neighbours being afflicted,

afflicted, and to offer to our said Sister in this hir Affliction
 help and relief as far furth as God hath and shall gyve us
 Power for his Honour and hir Weal, and as the Goodness
 of hir Cause shall minister matter to us, and therewith
 to reduce hir Realmes and Subjects from Division and
 Hostility into an Union of Peace and Concord among them-
 selves, whereunto finding the said Queen our Sister by hir
 sundry Messages and Brefs to us directed very agreeable and
 desirous, to have us afore any other Princes in the World
 to understand hir whole Cause, and thereupon to releave
 hir in such sort as in Honour and Friendship we shuld fynd
 necessary or meet, and having also for this Purpose at hir
 Request sent and required them of thother Part, which prof-
 fess their Obedience to hir Son the Prince, that some of
 the Principall of them wold come into our Realm to an-
 swer to such things as shuld be on the behalfe of our said
 Sister objected against them, and thereupon to abide our
 Order wherunto they have also accorded: We therefore upon
 the certen Knowledge that we have of the Fidelity, Wis-
 dom, Circumspection, and honourable Estates and Degrees
 of our Right trustie, and Right entirelie beloved Cousen
 and Counsellor *Thomas* Duke of *Norfolk*, Erle Marshall of
 our Realme of *England*, of our Right trusty and Right well
 beloved Cousin and Counsellor *Thomas* Erle of *Sussex*,
 Lord President of our Counsell established in the North,
 and

and having likewise good Experience of the Fidelity and Wisdom, of our Right trusty and welbeloved Counsellor Sir *Raffe Sadler*, Knight Chancellor of our Duchy of *Lancaster*, have made, constituted, and ordeyned them, and by these Presents do make, constitute, and ordaine *Thomas Duke of Norfolk*, *Thomas Erle of Suffex*, and Sir *Raph Sadler* to be our Commissioners and Deputies, especiall giving and granting to them three full Power, Authorite, and Comandement generally and specially for us, and in our Name, to come, treat, and conclude with our said Sister, or hir Commissioners and Deputies sufficiently authorized, and also with *James Erle of Murray*, and all others of the Realme of *Scotland*, that shall come into our Realme in the Name of our Cosyn the Prince, Son to our Sister the Queene, whyther he shall be named and titled King or Prince of *Scotland*, uppon all manner of Hostilities, Differences, Controversyes, Questions, Matters, Debates, and Contentions of what nature soever the same be, or which hath been betwixt the said Queene and any of her Subjects on th'one Part, the said Erle of *Murray* or any other Subject of *Scotland* refusing to obey her, and adhering to hir Son on the other Part, and allso uppon any Cause or Matter depending undecided, or not ended betwixt our said Sister and us, or betwixt any of our Subjects on eyther Part, or for the further Confirmation, Reformation, and Augmentation of any

Treaty of Peace heretofore made and concluded, or for the contracting and establishing of any other Treaty, or Confederation for increase of Amity, Peace, and Concord, not only betwixt our said Sister and us, but betwixt our Realmes, Contrees, Peoples, and Subjects, and generally to doe and conclude all things which shall be mete and necessary for the Premisses, or any Part thereof: Promising in the Fathe and Word of a Queene, that we will conform, ratifye, and allow for ever all and singular things, which shall be concluded, transacted, and capitulated by our said Commissioners. In Witness whereof we have caused these our Letters Patents, signed with our Hand to be sealed with our Great Seal of *England*, the of *September* a Thousand fyve hundred threscore and Eight, in the 10th Year of our Raigne.

Instructions by Queen *Elizabeth* to her
Commissioners,

INTITLED

A Memorial for the Order in proceeding of the Duke of Norfolk, the Erle of Suffex, and Sir Ralph Sadler, the Queen's Majesties Commissioners appointed and authorised by her Majesties Commission to meet at the City of York, with such of the Nobility of Scotland, as shall be authorised from the Queen of Scots on the one Part, and with such others of the Nobility of the same Realme, as shall be appointed for and in the Name of the Prince the said Queene's Son entitled also King of Scots on the other.

Interlined in several Places by Secretary *Cecill's* Hand.

- I. **F**IRST the said Commissioners shal notyfy to the Queen of *Scots*, or to her Commissioners, the Tenor of their Commission, and shall require the Sight of the said Queen's Commission, and thereupon offer themselves

selves ready to do all good Offices for the Honor and Wealle of the said Quene, according to their Commission and as they are specially charged, by the Quenes Majestie in that behalfe.

II. *Item*, THEY shal also signify to the Erle of *Murray*, or to such as shal come in the Name of the Prince the Cause of their coming, and require the Sight of their Commission, and so shal use Expedition for their Meeting in some convenient Place. And shall first devise by some special Order, that neither of the two Parties nor any of their Traines, shal move any trouble against other by Speche, Countenance, or Act, directly or indirectly, during the Time of this Treaty. For which Purpose, it may be well done to cause a Certificate to be made to them of the Numbres, and special Names of the Persons of either Part, so as by Order they may be favourably used in the said City, and that no other disorderly Persons of *Scotland*, or other Strangers under Colour of this Assembly, shal have Resort to the said City.

III. *Item*, THEY shal fyrst heare the Requests or Complaints of the Q. of *Scotts* Commissioners apart by themselves, and require them to have them put in Writing briefly, and therewith they shal also apart charge the other Party as

C

earnestly

earnestly as the Cause shal require, and shall demand their Answers not only in Speche, but also in Writing.

IV. *Item*, THEY shal declare to both the Parties how her Majesty hath expresly charged them, in Conference with them about this Charge, that they should in all their Actions regard their Duties to Almighty God, and in no wise furder any thing otherwise than their Consciences should bear Witness in the Presence of God to be honest, just, reasonable and true: for so hir Majestie expresly said to them with great earnestness, that her Intention in this Action was grounded upon a sound Conscience in the Sight of God, so she committed the same Charge to them, hoping that they would discharge the Trust reposed in them, and wished the like to be found in the Parties with whom they should treat at this Tyme, and that both they hir Commissioners, and all the rest wold before they entred into this Action, take a corporal Oath to advance and furder nothing, but that which in their Consciences they shal think to be true, honest, reasonable and just. And to that End the Commissioners may move both Parties as they shal find their Dispositions to receive a solemn Oath, and proceed accordingly upon the Foundation of the Fear of God, which is the Beginning of all Wisdom.

V. *Item*,

V. *Item*, As soon as Tyme shal serve convenient to treat with both Parties together, how to come to some reasonable End, these and such like things hereafter following are to be well considered.

I. *First*, If the Erle of *Murray* and his Partie shal alledge, that although they can justly convince the Queene of the great Crimes wherewith she hath been burdened, yet they find it not expedient so to do, upon the doubt they have that the Queens Majestie will notwithstanding any Crime proved upon her, restore hir to her Kingdom and Rule, whereupon they should never be free from her Indignation, and so they will stay and not proceed, without they may know her Majesties Purpose in case the said Quene should be proved guilty of hir Husbands Murder.

It may be answered by the Queens Majesties Commissioners, that indeed hir Majesties Desire hath been alwise from the Byginning, that the said Queen might be found free specially from the Cryme of her Husbands Murder. Nevertheless if her Majestie shal find it to be plainly and manifestly proved, (whereof she would be very sorry) that the said Queen of *Scotts* was the Devisor and Procurer of that Murder, or otherwise was guilty thereof, surely her Majestie would think her unworthy of a Kingdom, and wold not stayne her

own Conscience in Mayntainance of such a detestable Wickedness by restoring hir to a Kingdom. But if it shal not be proved probably and apparently, that she was guilty of her Husband's Death; yet, because the Suspitions and Conjectures to be produced against hir may seem nearly to touch hir in misgovernment of hir selfe, and that sondry other hir apparent Actions as well in the Marriadg of *Bothwel*, and Maintenance of him in his notorious Tyranny, as in other things may seme to deminish and abase her princely State and Reputacion of a Quene and Governour of a Realme. The Queen's Majestie meaning to have some good End of all these Troubles, as thairby Peace and Tranquility might be recovered and continue in that Realme, and that reasonable Consideration might be had of the princely State, whereunto she was borne, from the which she never departed but for fear of her Liffe, wold have it considered by them being Subjects borne of that Realme, in what sort and in what Manner she might be restored to her Crown, without Danger of hir Relapse into like Defaults, and without any like civil Dissentions to follow as of late hath happened.

AND the said Commissioners having thus answered and declared her Majesties plain Manner and Intention, shal saye, they must needs leave it to the Choyce of them, being principal Parties herto what they will do herin. Whereupon if they shall be content, and procede, to charge hir as guilty of
 hir

hir Husband's Death, and shal produce Matter manifestly probable to convince hir thereof, then the Commissioners shal spedily advertise hir Majestie.

BUT if they shal notwithstanding the Commissioners foresaid answer, either forbear to charge hir, or shal shew no sufficient Matter to convince hir of the Murder of her Husband, then according to the Answer aforesaid it must be required of them to consider in what sort the said Quene may be restored to hir Crown, according to hir Estate without Danger of a Relaps to fall into misgovernment, or without the Danger of hir Subjects to fall into hir Displeasure without their just desert. And though there may be many ways to be thought of not unmete, yet before any devise shal be touched by hir Majesties Commissioners, they of the other Part shal first be induced to propound their Devises, which, because they are likely to be for the Advantage and suerty of themselves, and prejudiciall and very disonorable for the Queen of *Scotts*, the Queens Majesties Commissioners shal by Conference with them, labour to induce them to some indifferent Means, and do their uttermost, that both the Partics may upon Conferences together accord to have hir restored to hir Kingdom, with such Conditions as thereby she may be restrained from misgovernment and disorder of hir Realme. And herin good Foresight wold be had that the

same may come and proceed from the other Parties, either of the one Side or the other, and not from hir Majesties Commissioners, who may well say that it properly belongeth to themselves to propound and devise the Manner how their own Countrey shal be governed. Whereupon the Queens Majesties Commissioners shal offer all indeferency to furdur such Means as shal seme reasonable for both Parties. And because hir Mayesties Commissioners may be also instructed what may seme to her Majestie reasonable in this Case, her Majestie wold have them understand certen things hereafter following, which they shal take rather for Instruction to judge thereby the reasonableness of the Things propounded either by the *Scottish* Quenes Commissioners, or by the others than directly to propound any of them as things devised or desired by her Majestie. And as things shal be propounded on the one Part tending for their Advantage, so the same may be notified to the other, and by Conference so ordered as the Articles and Devises that shall tend to abridg the Quenes Authority, may plainly appear to come of themselves and not of her Majesties Commissioners.

First, It semeth very mete that this Treaty shuld be tripartite, that is betwixt the Quenes Majestie of *England* on the one Party, as principall Author and Mediator of the same, and the Quene of *Scotts* on the Second, and the Prince hir Son on the Third. And that the whole Accord may be also

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spedely

spedely confirmed by Act of Parliament in *Scotland*, whereby both the Quene of *Scotts* and hir Subjects may be in Justice bound to observe the same; and the Quene of *England* by hir great Seale of *England* to mayntene the same. And that also from the End of the Treaty until some convenient Time to follow the End of the same Parliament, there might remaine three or four good Hostages of either Part in *England*, for the more orderly holding of the Parliament, and better Observation of the Treaty. And hereunto may well be added to be thought of, that the said Parliament might be kept and ended before the Quene of *Scotts* return to her Contrey.

I. *Item*, THE first Article in this Accord wold be in this Manner or such like. That all things (saving only the Murder of the King) which have been attempted by the Quene, or any of hir Party against them, which took the Part of hir Son the Prince as there King. And all things on the said Prince's Part, and them which avowed their Actions in his Name as King, from the Death of the Quenes Husband shuld be committed after this Treaty ended to a perpetual Oblivion. And that no Action, Damage, Offence, Calumniation, or Reproach, shuld at any Time to come, be used or extended any manner of wise by one against the other upon some great Paines.

II. *It*

II. It is most necessary to be provided that by the said Quene of *Scotts* own princely Motion, upon good Perswasion to be made to hir in that behalfe, it may be accorded, That the Realme of *Scotland* may be governed under hir as Quene of the Realme, by a grand Councell of a convenient Nombre, to be now chosen and stablished at the Tyme of this Treaty, of the noble and wise Men of Birth of that Realme, and the same to be alwise renewed by the more Part, or two third Parts of the said Councell, when any of the Persons of the said Councell shal depart or become impotent to serve. For otherwise the Quiet of the Quene hir self and the Realme also by private Government shal be easily broken, and the whole Fruit of this Treaty and the Quenes Majesties Labours utterly frustrate. In which Matter also is to be remembred in what sort the principall Offisirs of the Realme shal be appointed being at the Quenes Disposition, as the Chancellor, Ambassadors, and Messengers to and from forrayn Princes, the Archbishops, Bishops, the Lord Justice; the Controller, the Treasurer, the Admirall, the Chamberlain, the President and Lords of Session, the Captans of Castles, the Sheriffs, the Provosts of Burghs, the Wardens of the Marches, and all Officers of Finances, and such like, as may be for the good Observation of this Treaty.

III. *Thirdly,*

III. *Thirdly*, Is to be remembred that the Quene in Respect of her undescrete Marriadge with *Bothwell*, may accord nor to marry nor contract Marriadge with any Person, without the Assent of hir three Estates, or the more Part thereof upon payne that the Person with whom she shal contract, and all others counselling or furduring the same, shal be, *ipso facto*, adjudged as Traitors, and shal suffer Death and forfit as in cases of Treason.

IV. *Fourthly*, THAT all good Means be devised and accorded how to procede severely agaynst the said *Bothwell*, and all other Subjects or Servants to the Crown of *Scotland* for the Murder of the said King, or for Maintainance and Comfort of the said Murderers, and there Lands confiscated to the Crown of *Scotland*, with a Clause never to be granted away from the Crown without assent of Parliament.

V. *Item*, THAT all Laws and Orders accorded upon by Parliament, as well before the Quenes Imprisonment as since, for the helpe and sustentation of the Ministers of the Church, and for advancement of true Religion, and abrogating of Idolatry and Superstition may remayne in full Force, and continew without repealing of the same, otherwise than by a sufficient Parliament.

D

VI. *Item*,

VI. *Item*, IN particular also it is met to be remembred, that no Stranger born, be entertained in that Realme in the Room of a Captan or of a Soldier. Nor that any Stranger born have any Office Spirituall or Temporall within the Realme, nor that any Pension be granted to any Stranger, out of any Office Spiritual or Temporall; nor that any Person beare any Office within that Realme, which openly by any Act hereafter shal hereafter avow that the Bishop of *Rome* ought to take any other Preheminance within that Realme, than such as the Kyng or Quene of that Realme and their Successors, with the Consent of the three Estates in Parliament, shall allow.

VII. *Item*, It is also very necessary to provide for the safety of the Life of the young Prince, considering all such as shal live in *Scotland* having bene indede privy to the Murder of his Father, though not thereof convinced, shal and may be suspected, that they will desire the Death of the Prince, fearing his Avenge when he shal come to Age. And in this behalfe it is to be well considered, in what Place and with what Parson he shal remayne, and with what Allowance of the Revenue of the Crowne he shal be mayntayned, and if it may be indirectly procured to come of the Quene of *Scotts* her selfe, it seemeth good and faffe for all Partyes,

Partyes, that the Prince might be brought and nourished in *England*, in the Charge and Custody of Persons of the Birth of *Scotland*.

VIII. *Item*, It were also mete that the Titles and Challenges of the Crown heretofore made as well by one Party as another, were made perfectly clear and certainly stablished thereby to take away Factions amongst the Subjects.

IX. *Item*, It may be reasonably required of the Erle of *Murray* and others, that considering the many Difficulties that may arise upon the Understanding of this Treaty, and specially in Choice of the great Officers of the Realme, by Reason of many Competitors amongst the Nobility, that it may be at the Request of the whole Nobility of *Scotland*, and with the good Consent of the Quene of *Scotts* accorded, that the Quenes Majesty of *England* may have Power to be as Umpire and principal Arbitrer, to determine upon all Contraverfies arysing upon this Treaty, and specially in Choice of any such Officer, so as her Majestie make no other Interpretation nor name none to any Office, but such as shall be adjudged or named by the Quene her self, or by one third Part of the grand Counsell of the Realme for the Tyme being. And that whosoever shal intromitt himself to do any thing contrary, and without the Judgment of the

Quenes Majestie of *England* as above is limited, shal be judged as a Perturbator of the common Tranquilitie of that Realme, and shall be incompatible of any manner of Office for ever, or otherwise punished with some sharpe Paine; and that it shall be leefull for any of the Nobilitie or Subjects of *Scotland*, being grieved or injured with any thing committed against this Treaty, to resort to the Quenes Majestie of *England* to make reasonable Complaint, without any Impeachment of the Quene of *Scotts* or any other, and that for so doing they shal incur no Forfeiture of Life, Lands or Goods, nor be any wise damaged in their Body.

X. *Item*, It is also necessary for the more Assurance of the Observation of this Treaty in the behalfe of the Subjects of *Scotland* to be accorded, that if the Quene of *Scotts* shal willingly brake, or permit to be broken, any Part of this Treaty concerning the Surety of any hir Subjects, which have since the Death of hir Husband, and before the present Treaty holden Part against hir, and that such her breaking or Permission of the breaking be fyrst notified to the Quene of *Scotts*, and adjudged by the Quene of *England* against the Quene of *Scotts*, having thereto the Assent of the third Part of the grand Councell aforementioned, or of six Lords of Parliament of *Scotland*, being not Parties against the said Quene at the Time of this Treaty, or their Heyres succeeding

succeeding them in their Estates, being above the Age of twenty one. In those Cases without such Reformation made by the Quene of *Scotts* as to the said Quene of *England*, and the said third Part of the said Councell, or the said Nombre of six Lords of *Scotland* aforesaid, shal seme mete and be assigned and notified to the said Quene.

It shal be leeffull immediately upon publique knowledge, gyven by the Quene of *England* by open Proclamation in the Towns of *Berwick* and *Carlisle*, conteyning the particular Brech of the Treaty, and the manifest Refusal of the Reformation, For the Prince of *Scotland* her Son, or any of the Nobilitie of *Scotland* for him, whilst he shal be under the Age of fourteen, (if he the Prince be then living) And if he shall be dead, then for the next Heyre to that Crown, to enter into the real Possession of the said Crown and Kingdom and every Part thereof, in like manner as the said Quene were departed from this Life, and the said Q. shal by virtue of this Treaty, forbear to hold the said State or Title as Quene of that Realme, and shal not enjoy any thing of the said Realme, otherwise than such Provision of the yerely Revenue of the said Crown, as heretofore hath been allowed at any Time to any Wife of a K. of *Scotts* for a Dowry, if she so will accept and obey the foresaid Judgment of the Quene of *England*, being made with the Assent of the said third Part of the said Councell, or of
the

the said six Lords of *Scotland*, or theyr Heyres being of the Age of twenty one. And whosoever shal attempt any thing contrary to the said Prince, or the next Heyre to the Crown (fayling the Prince) after his or their entry or Clayme of the said Crown, shal be (*ipso facto*) taken and used to all intents as a Traytor adjudged and condemned.

Certen other things necessary to be remembred in this Treaty, for the behalfe of the Queens Majestie and hir Realme.

IMPRIMIS, THAT the Treaty made at *Edinburgh* in *July Anno Dom. 1560*, may be ratifyed and confirmed. In the treating whereof if Objection be made that there are certain Clauses in the said Treaty, (as namely the fifth Article) which do bring great Prejudice to the Quene of *Scotts* in that it is accorded, that she shuld from the Time of that Treaty forbear to use the Stile, Title, or Armories of *England*, whereby it may be indirectly gathered that she shal be excluded, not only during the Life of the Quenes Majestie, and of the Lifes of the Heyrs of hir Majesties Body, (which indeed was expressely ment on both Parts at the Time of the Treaty) but also after the Determination of the Lifes of the Quenes Majestie, (which God long preserve) and also of the Heyres of her Body, of which Cause
at

at the Time of the Treaty no mention was made: Therefore, now at this Treaty after the said Confirmation to be made of the said Treaty made at *Edenburg*, there may be a Proviso thereto now of new devised, that no Part of the said Treaty made at *Edenburg* shall bind the said Queen of *Scotts*, or hir Children after the Determination of the Life of the Quenes Majestie, (which God long preserve) and the Heyres of her Body.

II. *Item*, It wold be also required if it may be reasonably obteyned, that a League shuld be made at this Tyme betwixt the Quenes of *England* and *Scotland* for themselves, there Realmes and Subjects, that either of the Realmes shuld ayd the other in Case that any other Prince shuld fyrst invade them, or any Parcel of them without notorious Cause gyven by open Wars to the Invador, wherein if any Difficultie be made because of the old League of *France* and *Scotland*, first, there may be much sayd and can not be denyed of the Commissioners of *Scotland* to prove that *Scotland* hath these many hundred Years taken more harm than good by that Treaty.

AND 2^{dly}, Though the Treaty with *France* shal be thought percase not meet to be utterly dissolved, yet in this particular sort to contract as is expressed in this Article, may be said is not against the true Intent of the League of *France*.

For by that Treaty the Kings of *Scotland* are bound to ayde *France*, if *England* shuld move War against *France*, but not if *France* shal fyrst move War against *England*.

III. *Item*, As it is well covenanted by ancient Leagues betwixt *England* and *Scotland*, that neither of them shuld receive, or ayde any Rebelle as Fugitive of the other; So the like Accord will be made at this tyme for *Ireland* and *Scotland*.

IV. *Item*, It wold be also accorded that if the Quene of *Scots* during hir Leif shal ayde, or willingly permitt any of hers to ayde any Prince or Potentate, to invade by Hostility the Realmes of *England*, or *Ireland*, or any Isles, or Members of any of the said Kingdoms, that thereupon immediately the said Quene shal forfeit and loose all manner of Title, or Challeng that she hath, or any wise can pretend to be inheritable to the Crown of *England* or *Ireland*.

V. *Item*, It were necessary that the Contraversty yerely arising, by Occasion of certen Grounds upon the Frontiers in the East Marches commonly called the Threap Land, or Debatable were determined by Judgment, that such of that which is to be proved not litigious, may be so stablished in the quiet Possession of them that have Right, and the rest
that

that is litigious and doubtful to be equally divided by Metts and Bounds, as the debatable was in the West Borders in the Time of King *Edward* the VIth.

VI. *Item*, IF the Quene of *Scotts* shal send any Message or Letter to the Commissioners, they shall hear it, and if the same shal require any Answer, they shal gyve or write such Answer as to their Discretions shal seme mete, being not repugnant to these Instructions, And of their doings shal advertise her Majestie.

A Letter to Queen Elizabeth from her Commissioners at York the 6th of October 1568.

An Original.

PLEASE it your excellent Majestie to understand, that on *Sunday* night We arived here, and the night before came hither the Queen of *Scots* Commissioners, whose Names are conteyned in a Schedule here inclosed: and before our entry into this City, they mette us two or three Miles out of the same to salute us.

THE Earles of *Murray* and *Morton*, and the other Commissioners on that syde, whose names also are conteyned in the sayd Schedule arrived here not past an hour before our coming hither: and on *Mondaye* in the Morning thai

E

came

came to the Lodging of me Duke of *Norfolk*, where we saluted and welcomed them, using none other Speeche at that Time, but friendlye talke of fundrie Mattirs at large. In the Afternoon of the same Day, because we wold loose no Tyme, we called unto us the said Q. of *Scotts* Commyssioners, and according to our Instructions, declared unto them the Tenor of our Commyssion, And also did reade the same unto theme, requiring the Sight of theirs in likewise. But when they perceived our Commyssion to be so ample, and knowing the Tenuitie and Slendernefs of their owne, they pawfed upon the shewing of it, as though they weare loathe it should be sene: alledginge that it wanted good Forme of making, by Reason that the Q. their Mistres being in *England*, and thay having had but little Time of Conference with her, neyther had Leysure ne yet any expert or learned Man, to devise thair Commyssioun in such forme as it were mete: we nevertheless, somewhat pressing theme in such sorte as we thought good, at last thay produced a Commyssion written in Paper, subscribed with the Quene of *Scotts* Hand and sealed with her Signet, which the Bishop of *Ross* did read unto us: The Commyssion being very brief, did not only restrain the Commissioners by speciall Words, to treate and agree upoun any thing that might touch the said Quene in her Estate and Honour; but also, did bynd them to go no further than thay were limyted by certaine
private

private Articles and Instructions, whereunto their Commission had Relation. But what those Articles and Instructions do conteyne, we know not, so as in our Opinions they be so restrained, that whatsoever we should agree upon, The said Quene might alwayes make exceptions to the same, and say, it touched her Honour. Nevertheless, we seemed not to find any great Fault therewith, but required them to deliver us a Copie of their Commission, to the Intent we might consider of the same, and thay likewise should have a Copie of ours; whereunto they agreed. And yet, perceiving that we found their Commyssion not to be so ample as were expedient for the Treatie of so great a Cause, They themselves seemed to find some Fault with it, and begane to excuse the same in Sorte as they did before, desiring that the want of ample Commission might be no Cause of Hindrance of the Treatie of their Cause, but that it might please us to proceade, and they wold furthwith procure a new Commyssion of more large and ample Power. And so we brake of for that Time; and afterwards sent them a Copie of our Commyssion, requiring a Copie of theirs according to our Agreement. But they sent word againe, that they wold forthwith despatch a Post to *Bolton* for a new Commyssion, whercof we should have a Copie as soon as it came to their Hands. But of the other we can hitherto get no Copie, though we sent againe, and desired to have it ac-

cordinge to their Promyse, beinge loothe (as it seemeth) that your Majestie should see how little Trust and Authoritie their Mistris hath committed unto them in this behalfe. This Begynning is somewhat hard, your Majestie may judge what is to be looked for of the Sequele of the same. Yesterday in the Morninge, the Earls of *Murray* and *Morton*, and the other Commissioners on that side repaired unto us, with whom we did deal in like Manner, shewing unto them the Effect of our sayd Commyssion, and requiring to see and understand the like of theirs: whereunto the Earl of *Murray* answered, that at their last Parliament, when it was thought he might not conveniently repaire himselfe into *England*, certen Noblemen and others were appointed to come in this Commission, and should have bene sufficiently authorised by Commyssion, under the Great Seale of *Scotland* for that Purpose. But sithens that Time, being determined to come himselfe, it was not thought neidfull to have any other Commyssion, for that by Virtue of his Office as Regent, he had sufficient Authoritie to treat and conclude upon all things which shuld be moved in this Treatie, promising unto us that whatsoever shuld be agreed upon, he would put the Great Seal of *Scotland* unto it. And nevertheless, after some Talke among us, when he and the rest perceived that we were not satisfied therewith, they offered and have promised to exhibit unto us ample Commyssion
under

under the Great Seal of *Scotland*, to authorize them to proceade with us; wherewith we found our selves content. ed: and as we perceive be their talke at large, they meane to make it evident unto us, that whatsoever they have done against the said Quene, they have proceeded therein upon good Grounds, suche as some of theme, as Earle of *Murray*, and the Lord of *Lethingtoun* do saye, they are most sorre; that it is come to that pointe, that they must needes declare and make manifest to the world, or else be accounted notorious Rebelles and disloyell Subjects: upon this Talke we thought it not amysse to move them to take an Othe, before we enter into the Treatie of this Action, to procede sincerely in the same; using such Perswasions to induce them thereunto, as are geaven unto us by your Majestie in our Instructions, whereunto we found them right willing and agreeable. And so we ended our Conference, and went together to the Church, where we heard a good Sermon preached by the Dean of *York*. This Morning we had another Conference with the Commyssioners of the said Quene, which shewed unto us a new Commission, the Copie whereof your Majestie shall receive herewith. Upon the Sight and hearing whereof did grow some Questions among us, not onlie for that the Preamble of the same did importe, that your Majestie had taken upon you to restore the said Quene to her Realme and Authoritie, for also that by the same

Commyssion, Power is geaven to the Commyssioners to treate upon all things, which may tend to the Reduction of her Subjects unto her Obedience, and not upon the Causes which have moved these Controversies and Troubles in *Scotland*. Whereunto we said, that we knew very well that your Majestie had a great Desyre to releave the said Quene their Mistriss, and indede would do as much for her as Your Majesties Honour, and the Justness of her Cause wolde permitte, wishinge that their Commyssion had been as ample as ours in all points. And yet considering that the Causes of the said Controversies must needes come in Question in this Treatie, we seamed neither to allowe nor disallowe of their said Commyssion, but to take it as it is untill we may know further of your gracious Pleasure, the rather for that they confessed that it is good Reason, that the Causes of the said Controversies should be heard on both sides; and that it was not meant otherwise: And if their Commyssion wanted any good Forme they would also procure to have it amended. Then we moved them to take an Oathe for their sincere Proceedings in this Treaty, like as before we did with the Commyssioners on the other side; wherein we found them to make a great Staye and Difficultie. And indeede they were verrie loathe to hear of it, specially the Lord *Herrys*, who in his Discourse seamed to be content to promise by Oath to propound or say nothing, but that is
just

just and true; but in no ways to say all in this Matter, which he knoweth to be true. In the End after such Perswasions used to induce them thereunto, as your Majesty hath delivered unto us by your Instructions, they desired that they might pause upon it a little while, and then they would make us an Answer, whereby we judge that they will be content to receive such an Oathe as themselves will devise, though not the same that the Commyssioners on the other side have agreed upon. And then consenting to geave them Respite, to thinke and consider of it, accordinge to their Desire, we ended our Conference, and they departed to their Lodgings. And sone after they were departed the Earle of *Murray*, and others the Commyssioners on that side, sent unto us their Commyssion under the Great Seale of *Scotland*, the Copie whereof we send to your Majestie herewith.

WHEN we had written thus farre, The Earle of *Murray*, and his Colleagues, and also the Commyssioners of the other Parte, came to us at one Instant, being so devised and appointed by us; and at their coming we in their Presence caused the Deane of *Yorke* to minister an Oathe unto us, in sorte as your Majestie shall perceave by the Copy of the same, sent herewith; and then because the Quene of *Scots* Commyssioners were not resolved upon the Forme of the Oathe, which they intended to receive, we thought not good to offer it unto theme in the Presence of the others, hoping

ing as they have promised that they will receive it to morrowe. The Commyssioners on the other side did not stick in the Presence of the adverse Party, sollemly and willingly to recyve such an Oathe ministred unto them by the said Deane, as your Majestie shall perceive also by the Copy of the same sent herewith. And when the other Commissioners have taken their Othe we will also send your Majestie a Copie of the same.

THUS far have we proceaded in the Execution of our Commyssion, and as we shall doe further, we shall not faile to advertize from Time to Time as the Cause shall requyre. Beseeching Almighty God to preserve your Royale Majestie in long Lief and good Health, most prousperouslie and feliciouly to reigne over us the Yeares of *Nestor*. From your Highness Cittie of *Yorke* the 6th of *October* 1568.

Your Majesties most humble, faithfull

and Obedient Subjects,

T. NORFOLKE.

T. SUSSEX.

R. SADLER.

COM-

COMMISSION by MARY Q. of Scots to the
*Bishop of Ross and others, to be her Commissioners
 to conveen with the Queen of England's Com-
 missioners.*

A Copy.

MARIE be the Grace of God Queene of *Scottis*,
 and Dowarier of *Fraunce*, to all and sundrie Per-
 sons to whose Knowledge their Presentis shall
 come, Greatinge in God Everlastinge. Forsameikle as it hath
 pleased the Ryche Hie Richt Mighty and Richt excellent
 Princes, the Queens Majestie of *England* our most deere
 Sister and Cousignes, to take upon her the Restoringe of us
 to our Realme and Authoritie, fra the which we have bin
 most injustlie extrudit be certen our disobedient and Rebel-
 lious Subjects, and for the Knowledge and orderinge hereof,
 hes appointed an ryche noble and mighty Prince *Thomas*
 Duke of *Norfolk*, Erle Marshall of the Realme of *Ingland*,
Thomas Erle of *Suffex*, Vicount —water Lord *Egremont*,
 and *Bornewell* President of the Counsell establisht in the
 North, and Sir *Raphe Sadler* Knight, Chancellor of the Ducherie
 of *Lancaster*. Therefore we for the furth settinge of the
 Glorie of God, and Treates of Peace to be made amonges
 us our Realme and Subjects for ever to continew, for De-
 clarations

clarations of our Part herein and all other thinges, which shall pertene to the Well of both the Realmes, hes made, constitute, nominate and ordained our Trustie and Lovit Counsalouris, ane Reverend Fader in God *John* Bishop of *Ross*, *William* Lord *Levingstone*, *Robert* Lord *Boyde*, *John* Lord *Hereis*, *Gavin* Commendator of *Kylwynning*, *John* Gordon of *Locheinvarr*, and *James* Cockburne of *Skirling* Knight, our werrey ondoutit and lawful Commissioners: To whom or any four of them we have gyven, and by these Presents gives our full Authoritie and Power to convene with our said deereft Sisters Commissioners in the Citie of *Yorke*, the last Day of *September* Instant, or any other Day or Place within the Realme of *England*, and there to treat, conclude, and indent upon all sic Hedes and Articles, as shall be found till our said deereft Sister Commissioners and thame best, for the furthsetting of the Glorie of God, the Reduction of our said disobedient Subjectis, to their dewtifull Obedience of us, for good Amitie as well for as to come betwixt thame and all our obedient Subjectis, and farther to Traite upon the saide Parte to be made betwixt our said derrest Sister and us our Realmes and Subjectis, and all other perteyning to the weill of the same, And what they agree upon in our Name, we promise upon the Word of a Prince, ferme and stable to hold, ratefie, and approve the same, inviolable to be observed in all Tyme cuming. In witness whereof to

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this

this present Subscrivit with our Hand, our Signet is affixt about the penult Day of *September*, the Year of God 1568 and of our Reign the 26th Year.

COMMISSION *by the young King of Scotland to the Earl of Murray and others, to meet with the Commissioners of the Queen of England.*

A Copy.

JAMES be the Grace of God King of *Scotts*, to all and sondrie Persons knowe thir our Lettres, Gretinge, Witt ye us for dyverse great and weighty Considerations moving, and uppon the gude Pruif that we have of the Fidelitie, Wisdom, and Tendernes to us, of our Right Trusty, and Right welbeloved Uncle *James Erle of Murray*, Lord *Abernethy*, and Regent of our Realme and Leigis, and of our Richt Trusty, and Richt wellbeloved Cousing *James Earl of Morton*, Lord *Dalkeith* our Chancellor: And of our Trusty Counsellors, *Adam Bishop of Orknay*, *Robert Commendator of Dunfermling*, and *Patrike Lord Lindesay of the Byres*. To have made, constitut and ordaint, and be thir present Lettres makes, constitutes and ordaines thame and ony three of them our Commissioners, and speciall Deputies, gevand, grantand, and committand to them, or any three of them full power, auctorite, and expresse charge,

to convene with the Commissioners and Deputies of our derrest Sister the Quene of *England*, at the Citie of *Torke*, or any other Place or Places, they shall think convenient, and there to make plaine and ample Declaration to thame for Information of our said good Sister, Of the verie and trew Causes whereuppon diverse of our Nobility and gude Subjects, during the Time that the Queene our Moder wes in Possession of the Crowne of this our Realme, tuke Ocasion to putt on armes, whereuppon followed the Deteyninge and Sequestracion of hir Person for a Time, with all Causes, Actions, Circumstances, and other their Proceedings whatsoever towards her, or any Subject of our Realme of *Scotlande* sen that Tyme, to the Day and Date hercof, or that hereafter fall fall out, unto the Returne of our said Commissioners, whereby the Justice of their Cause and honourable Dealing, may be manifested to the Warld. And thair uppon with the Commissioners of our said deereft Sister, to commune, treat, determine and conclude: As also for us and in our name and upon our behalf, to commune, treat, and conclude with our Subjects of ayther Realme or for further Confirmation or Augmentation of any Treaty of Peace heretofore made and concluded betwixt the Realmes of *Scotland* and *England*; or for contracting and perfecting of any other new Treaty or Confederacion, as well for the Maintenance of the trew Religion publickly professed by the

Inhabitants

Inhabitants of both the Realmes, and resisting of any foraine Power, or that might be secret within the same, goinge about to disturb the present Quietness that it has plesit the Almighty God to grant unto both the Realmes, in the Unitie of the said Religion, as also for increase of Amitie, Peace, and Concord betwixt our said Sister and us, our Realmes, Dominions, People and Subjects. And generally to doe and conclud all things which to tham, or any three of theme, shall seeme convenient and necessarie for the Premises or any Part thereof, or that we our selfe might doe and we wer present in proper Person, promiseinge upon the Faith and Word of a Kinge, to holde firme and stable all and whatsomever thinge, which thay in our Name shall conclude or agree upon. In witness whereof to thir Presents subscrivit with the Hand of our said dearest Uncle and Regent foresaid, we have caused our Great Scale to be appendit at *Edinburgh* the xviiiij Day of *September*, in the Yeare of God an thousand fyve hundreth threscore and eight, and of our Regne the second Yeare.

The

*The Form of an Oath for the Queen of England's
Commissioners.*

YOU shall swear, that whereas many great Causes and Actions are depending in Question and Controversie betwene the Queene of *Scotts*, and the younge Prince her Sonne, whether he be named or entitled Kinge, or Prince of *Scotland*, and others of the Nobilitie of *Scotland* Adherents and Partakers on boeth Partyes, The Hearinge and Determinacion of which Controversies as by the assent of boeth the said Parties, committed to the Queenes Majestie our most Gracious Sovereigne, who by her Letters of Commission under her Great Seale, hath upon speciall Trust of your Faithfulness, Trouthe, and good Indifference, authorized and deputed you to be one of her Commissioners in that behalf, ye shall therefore proceede in the Treatie of the said Causes sincerely and uprightly, and that ye shall not for Affeccion, Value or any other worldly Respect, leane or adhere to thone Partie or the other, more then Reason, Equitye, and Truthe will beare. Ne yet further or advance any thinge in this Treatye, otherwise then your own Conscience afore God shall beare you witness to be honest, godly, reasonable, just, and true. So helpe you God and the Holy Evangelies.

The

*The Form of an Oath for the Commissioners of the
King of Scotland, as they call him.*

YE shall swear, that whereas for Information of the Queene Majestie of *England*, ye have to make a plaine and ample Declaration of the verie and trew Cause, wherby ye and others of the Nobilitie of *Scotland* toke Occasion to put in armes, whereupon followed the Sequestration for a Time of the Person of the Kinge your Sovereignes Mother, beinge at that Tyme your Queene, with all other your Proceedinges whatsoever towards her sithens that Tyme, whereby ye intend to induce the Queens Majestie of *England*, to think well and allow of your doinges. The Hearinge whereof her Majestie by her Lettres of Commission under her Great Seale, hath upon speciall Trust and Confidence which her Majestie hath reposed in her faithfull Counsellors the Duke of *Norfolke*, the Erle of *Suffex*, and Sir *Raffe Sadler* Knight, for there Truth and Indifferencie comitted unto them as her Commyssioners and Deputies in that behalf, and seing ye have Commision to treat, commune, determine, conclude with her Majesties said Commissioners, upon the Premisses, ye shall in all your Treaties and Conferences with them procede sincerely and uprightly, and that ye shall not
for

for any Affection, Malice, or anie other worldlie Respect furder avance or preferr any thinge or Matters before the said Commissioners in the Treatie otherwise than your own Consciencs shall beare you wittnes afore Gode, to be honest, godlie, reasonable, just, and true. Nor yet shall ye withdraw, hide, or conceale anie Thing or Matter from the said Commissioners, which is mete and requisite to be opened and declared for the better Knowledge of the Troth of the saide Causes in Controversie. So help you God, &c.

A Letter from the Duke of Norfolk, to Secretary Cecil from York the 6th of October 1568.

An Original all in the Dukes Hand.

ALTHOUGH we be longe ere we dyspatche, yeat I hope you schall fynde that we have not bene ydle: I leave the Reporte of our doyns to her Majestyes Letter, onlye thus muche to your selfe I wyll writte, that in my Opinion the Matter I feare wyll falle owte verye fowle, yff all be true that they heare stedfastlye affyrme. Ytt importis the Quenes Majestye verye muche to kepe the Duke ther styll tyll thys Meting be past yff not longer; we that sarve in thys sarvys have but harde luke, for we are countyed Partyall of bothe sydes, before we cume to the Matter they consteir of us accordyng to ther owne Affections,

ons, everye Daye nowe wyll brede newe Matter, and ther-
for you schall the oftner hereafter heare from us, and so
good Mr. Secretarye for thys Tyme I bide you most hartilye
farewell. From *Yorke* thys 6. off *October* 1568.

Tours most beholding,

T. NORFOLKE.

*A Letter from the Q. of England's Commissioners
to Her, from York the 9th of October 1568.*

An Original.

PLEASITHE it your Roiall Majestie to understand, that likeas
in our last Letter of the 6th of this present wee ad-
vertized, that the Queene of *Scottes* Commissioners
had promised to geave their Othe for their sinceare Procead-
inge in this Treaty, so they did the nixt Morninge repaire
unto us, and received such ane Othe ministred unto them
by the Deane of *Yorke*, as your Majestie shall see in Writinge
here inclosed, with Protestacion made before they received
their Othe, in such sorte as your Majestie shall perceive in the
said Writinge: Whereupon to meete with their Protestacion
wee thought goode to protest againe immediately in sorte
as also shall appeare to your Majestie in Writinge sent here-
G with.

with: And so wee passed over the Matteir with them in merry and pleasaunt Speeches not yieldinge to their Opinion, nor they to ours, touching the Matteir conteyned in our said Protestacion. After they had received their Othe we sate downe, and when we were pleaced, it was said unto them by me the Duke of *Norfolk*, That sithens we had proccaded so fare, that now we weare ready to enter into the Hearinge of this great Matteir, we thought it meate to keape this Order: hat first, they beinge the Parties Plaintiff shoulde when it liked them, shew unto us their Complaints and Requeastes. And then their adverse Partie to make Answere to the same. Offerringe all good Offices on our Partes, which may tend to the Honour and Weale of the Q. their Sovereigne, in sorte as we weare commaunded by your Majestie.

WHEREUNTO the Bysshoppe of *Ross* answered, requiringe to knowe whether we thought it best to heare the same in Speache and Communication, or to have it at their Handes in Writinge: and we againe said, that we weare redie to heare their Speeche in those Matteirs if they thought so good, and also to receive it afterwardes in Writinge.

Whereupon, the said Lord *Herries* beganne to make some Discourse of the Begynninge of their Troubles, how the Q. their Mistres evill and desobedient Subjects beganne to take Armes against her, committed her to Prison, deposed her from her Seate Roiall, with many other Circumstances touching

inge the same: and then descended to the Declaratioun of other particular Injuries done to himself and other the Q. true Subjects as he termed them. After him the Bysshoppe of *Ross* briefly and pithily repeating some parte thereof confirmed the same: And when they had said all that they would whereunto we give them good Hearinge, wee required that they would give us the same in Writinge, to the Intent we might not only consider of it, but also conferre thereupon with their adverse Partie, to charge them with it, and to heare what Answer they could make unto the same: wishing that they would leave out all particular Matteirs and Grieffs touching themselves, and begyne with the principall Mattiers touchinge the disobedient and disloiall Proccadings against the Q. their Mistress, wherewith they charged their adverse Pairty; which they agreed unto, and accordingly delivered the same to us in Writinge the next Daye after subscribed with their Handes, the Coppie whereof we sen herewith unto your Majestie: And after we had received and perused the same, we thought good to send also a Coppie thereof to the Erle of *Murray*, requyrreing that he and his Colleages would consider of the same, and prepar themselves to make Answer as sone as they thought convenient.

WHEREUPON they desired to conferr with us before they made their Answer: and at their repaire unto us, Therle of *Murray* declaired that they had considered of the Com-

plaints exhibited against them by their adverse Partie, and albeit they coulde so answere the same, (beinge weell and godly affected) must neades confesse, That in all their Actions and Doings they had proceaded upon good Ground and just Causes; yet before they knew your Majesties Pleasure, they woulde be loothe to proceade so far as to charge the Kinge their Sovereignes Mother, with suche things as hitherto they have beenne Content rather to hide and conceale, then to publish and manifest to the Worlde to her Infamie and Dishonour, in respect that she was the Kinge their Sovereignes Mother. Wherefore, if they might be so bolde they wolde gladly require of us, to know your Majesties good Pleasure and Intention towards them, how (in Case they shoulde so proceade against her, and prove all things directly, where-with they do burden her) they might be free and without Daunger of her Displeasure, and how the younge Prince, their Kinge might be in safety if she shall be restored to her former State, in which Case of her Restitution they said, they coulde not comprehend any mean how to live free from her Displeasure. Ne yet how the yonge King their Sovereigne might be in safety. Whereunto we answered, that we doubted not but they had weell understand your Majesties Pleasure, signified by your gracious Letters unto the said E. of *Murray* in some Parte touchinge the restoringe of the Queen. And accordinge thereunto, we had also to saye further unto them in few Wordes from your Majestie, That as
indede

indede your Majestie heathe allwayis desiered from the Begynninge, that the said Q. might be founde free specially from the Crime of the Murther of her Husband, so neverthelesse if your Majestie shall finde it to be plainly and manifestly proved (whereof you woulde be sorrie) that she was the Devisour and Procurer of that Murther, or otherwise guilty thereof, surely your Majestie wolde thinke her unworthie of a Kingdome, and wolde not touche your selfe in Honour, ne staine your owne Consciens in myntenens of suche a detestable Wickedness, in restoringe her to a Kingdome. The said Erle of *Murray* then replied, that because it had bene heretofore givin out and published thorough out all *Scotland*, and was also even now given out in the Citie by their adverse Partie, That whatever Matteir do fall out or be proved against the said Queene, your Majestie wolde neverthelesse either amplie restore her, or otherwise by some Decrees relieve and send her home among them; They weare therefore enforced to move this Question unto us for their better Satisfaction; assuring us that their adverse Pairty did not lett to saye, that they had your Majesties Promise to shew in Writinge to confirm the same. It was answered thereunto, that we coulde not let them to speake what themselves would devise; but from your Majestie, or from anie other by your Commission we weare assured they coulde not affirm the same: For when your Majestie heard so muche before by Letters from Therle of *Murray*, your Highnes did forthewith

with depeche your Answere thereunto, in sorte as he knewe (thowghe we had spoken nothinge thereof at this Time) was sufficient to satisfy their Doubt and Question: Herewith they seemed not to be fully satisfied, as though they suspected that albeit your Majestie did not restore the said Q. immediately, yet some other Meanes hereafter might be wrought for her Relief or Restitution by some Decrees, which might brede unto them no little Daunger. Neverthelesse, they promised to bringe us their Answere to the Complainte of their adverse Pairtie, which we looke to receive at their Handes this Daye, whereof we will advertize your Majestie in our next Depeche.

POSTSCRIPTA. Therle of *Murray* and his Colleagues repaired unto us and propounded certaine Articles which your Majestie shall receive herewith, alleadinge that the weightness of the Cause was suche and touched them so neare, that they durste in no wise proccade to the Accusation of the Kinge their Soveraignes Mother in the Cause of the Murder, before they weare resolved in theis Articles, werie earnestly pressinge and requiringe us to satisfie them in the same, and promisinge that if they might be so satisfied, they wolde proccade to the Triall. Whereupon havinge read the Articles, we withdrew a parte and considered of them, and then made this Answere for the Present. To the first and second Articles requiringe bothe one An-

sweare, we said, that they had a Coppie of our Commis-
 sion, whereby they coulde judge of our Authentie, and yet
 we doubted but they being wise Men wold consider, that
 whatsoever Power we had, our Deutie to your Majestie re-
 quireth, that the Cause beinge thoroughly tried, we wolde
 before we pronounce or geave any Judgment advertize your
 Majestie of the State of the whole Cause, and so proceade
 by your Majesties Order and Direction. To the third Arti-
 cle we said, that they could not with a safe Conscience re-
 quire the Delivery of the said Q. into their Handes beinge
 her Ennimies, but for the rest we wold advertize your Ma-
 jestie of their Desire, whereupon we shoulde be able to
 geave them a reasonable Answer. To the fourth we said,
 that if the Q. of *Scottes* be guiltie of the Murder, then fur-
 der Consideracion is to be had upon the Matteir conteyned
 in that Article, which dependithe upon the rest: not doubt-
 inge but your Majestie would therein growe to suche Condi-
 tiouns with them, as they shoulde have Cause to be con-
 tented. Thus we answered their said Articles for the Pre-
 sent; wherewith we finde them not satisfied, and that they
 are fully resolved, not to charge the said Q. of *Scottes* with
 this Murder, untill they may be assured of your Majesties In-
 tentionn to ayde and mayntaine them in this Action if she
 be founde guiltie: Whereby we are to suspect that they be
 in Hoope and good Comforte, that if they do not proceade
 to accuse her of this Murder, ne produce the same to Triall,
 she

she may be induced to anie Composition, and that they shall be able to make their owne Waye with her and thother Lordes of that Partie at their Pleasure. And on the other side, if they shoulde proceade to suche Extremitie as to charge her with the said Murder, then weare they out of Hope of anie good Composition, and so shoulde they live allwaies in Daunger if your Majestie should faile them; whereof it may please your Majestie to consider, and to geave us furder Instruction how to proceade herein, as to your highe Wisdome shall be thought convenient. And thus we beseeche Almighty God, to preserve your most excellent Majestie in longe Life and good Health, most feliciously and prosperously to reigne over us accordinge to his Divine Will and Pleasure. From your Majesties City of *Yorke* the ix of this *Octobre* 1568.

Your Majesties most humble,

faithfull, and obedient

Subjects,

T. NORFOLKE.

T. SUSSEX.

R. SADLER.

The

*The Protestacion made by the Q. of Scotts Commis-
sioners the 7th of October 1568.*

A Copy.

THE said Commissioners for the Q. Majestie of *Scot-*
land declared in Presence of the Q. Highness Com-
missioners of *England*, before the geavinge of their
Othe, That althoughe the Q. Majestie there Sovereigne be
best contented that their Causes presently distant betwixt hir
and her disobedient Subjects, be considered and dressed by
her dearest Sister and Cousin the Queenes Majestie of *Eng-*
land, or her Graces Commyssioners authorised thereto, be-
fore all others, yet they protested solempney that therby they
intend on no wayes, that the Q. Majestie their Sovereigne
should recognize her self to be Subjecte to any Judge in
Earthe, in respect she is a free Princeesse, having Imperiall
Crown geven her of God, and acknowledgethe no other
Superior. And therefore that her Grace nor her Posteritie,
be not prejudiced in their Sovereignitie in no wise hereby.

*The Protestacion made by the Queen of England's
Commissioners in answer thereunto.*

A Copy.

TH E Queenes Majesties Commissioners, after the said Protestacion made by the Queene of *Scots* Commissioners, did protest againe, That they neither did, ne wolde admitte nor allowe the same to be in anywise hurtfull or prejudiciall to the Right, Title, and Interest incident to the Crowne of *England*, which the Q. Majestic and all her noble Progenitors Kinges of this Realme have claymed, had, and enjoyed as Superiors over the Realme of *Scotland*. And the same Superioritie they protest to belong and appertaine to the Queenes Majestic in the Right of her Crown of *England*.

*The Form of the Oath for the Commissioners of the
Queen of Scotland.*

YE shall swear that whearas for Informacion of the Queenes Majestic of *England*, ye are to make a plane and ample Declaracion of the werrie and true Causes, wherby ye and others of the Nobilitie of *Scotland*, tuk Occasion to put on Armes for maintaining of the Queens
Majestic

Majestie your Sovereigne in her Authoritie, (whereunto she is established by God) and all other your Proceedings in this Cause and Deference, standing betwixt your said Sovereigne and one Part of her Subjects, whereby ye intend to induce the Queens Majestie of *England* to think well and allow of your Sovereigne and your Doings, The Hearing wherof her Majestie by her Letters of Commission under the Great Seale, hath upon speciall Trust and Confidence, which her Majestie hath reposed in her faithfull Counsellors the Duke of *Norfolk*, the Erle of *Suffex*, and Sir *Raffe Sadler* Knight, for there Truthe and Indifference committed to them as her lawfull Commissioners and Deputies in that behalf, and seeing ye have Commission to treat, comune, determine, and conclude with her Majesties said Commissioners upon the Premises, ye shall in all your Treaties and Conferences with them procede sincerely and uprightlie, and that ye shall not for anie Matter before the said Commissioners in this Treatie, otherwise then your owne Conscience shall beare you Witnes afore God, to be honest, godlie, reasonable, just, and true; nor shall ye withdraw, hyde, or conceale anie thing or matter from the said Commissioners, which is mete and requisite to be opened and declared for the better Knowledge of the Trewth of the said Causes in Controversie. So helpe yow God, and the holic Evangelies.

Complaint by the Queen of Scots Commissioners exhibited at York, to the Queen of England's Commissioners against the Earls of Murray, Morton, and others.

An Original.

WE the Commissioners appoynted for the Queens Majestie of *Scotland*, our Sovereigne Ladye in hir Hienes behaulfe schawis to your Grace, and my Lords Commissioners for the Queenes Majestie of *England*, That *Jamis* Erle of *Mortowne*, *John* Erle of *Mar*, *Alexander* Erle of *Glencairne*, the Lordis *Howme*, *Lyndsay*, *Ruthven*, *Sempile*, *Cathcart*, *Ochiltrie*, with others their Assistaris assemblit in Armis ane greyte Part of the Queenes Graces Subjectis, declarit be thair Proclamationis it was for her Graces Relief, ombesett ye gett in hir Passage betwixt hir Grace *Castellis* of *Dumbar* and *Edinburgh*, thair tuik hir maist noble Personne, committed hir in warde in her awin Place of *Lochlewin*, efter intromettit with her Conzie House, pressing Irins, Gold, Silver, conziet and onconziet, passit to the Castle of *Stirling*, and made thair Fassioune of Crowning of hir Sonne the Prince, being thanne but of thrittene Monethis awld.

JAMIS

JAMIS Erle of *Murray* tuik upon him the Name of Regent, usurpand thairby the supreme Authoritie of that Realme, in name of that Infant, intromettit with the haill Strenthis, Munitionis, Jewellis, and Patrimonie of the Crowne alsweill Propirtie as Casualtie. And quhen it plesit Almychtie God of his gryte Mercy to releiffe hir Grace out of the straite Thraldome quhair sche was detenit alevin Monethis: So hardlie that nane of her trew Subjectis mycht have frie Access to speik hir, Hir Hienes maide in *Hammyltowne* oppia Declaracioun, that hir formare constrainit Writingis in Preifsonne, was altogidder againis hir Will, and done for feir of hir Lyff, affirmit the same be an Solemnit Aithe, zit for the godly Zeile and natural Affectionne hir Grace buir till hir Realme and native Subjectis geff Powar to the Erlis of *Argile, Eglentown, Cassillis, and Rothess* to agree and confirme ane Pacificationne with the utheris Erlis, and thair Partakeris and Assistaris, passing to *Dumbartane* left the Hieway far avoyding of Troublis: The saiddis Erlis of *Murray, Mortoune, Glencarne* and *Mar* with thaire Adherentis and Partakaris ombesett hir Passage, and be thair Men of Weir quhilk they had waigit upon hir Graces awin Silver, overthrew her Powar, flew sundrie richt honest and trewe Men, tuik otheris Presoneris and ransomit thame, condemnit to the Death under the Colowre of thiar pretendit Laws gryte landit Baronis and Gentilmen, far na uther Cause, but only the serving of thair native Soverane. Thir thair unreasona-

ble and undeutifull Proccedingis causit the Q. our Maistres
 cum in this Realme to require of the Queenes Majestie hir
 most derrest Sistar and in Blude nerrest Cousignes in the Warlde,
 (thair Promeiss off Luff, Frendship, and Assistance so effec-
 tuousslie affermit) Favour and Support, that scho may enjoy
 peaceablé her Realm according to Goddis Calling, and that
 thai hir Subjectis may be causit recognosce thair detfull Obe-
 dience, reforme to hir Majestie and hir obedient Subjectis,
 the Wrongis thai haiff done, as sal be gevin in speciall,
 that we and thai may leiff under hir Hienes in our Calling,
 as gude Subjectis under that Heade that God hes appoynted
 us, is hir Majesties and our Desyre. Produceit the viij of
October 1568. be my Lordis Commissioneris for the Quene
of Scotland.

JO. ROSSEN.

LEVYNGSTON.

R. BOYD.

HERRYS.

KILWYNNING.

SKIRLING. King^t.

ARTICLES

ARTICLES proposed by the Earl of
Murray, to the Commissioners of the
Queen of *England* at *York*, the 9th of
October 1568.

ENTITLED

Demands of the Earl of Murray.

An Original.

I. **W**E desir to be resolvit quhether ye haife Commis-
sion, and sufficient Authoritie from the Quenes
Majestie of *England* to pronunce in the Cause
of the Murther, Giltie or not Giltie, according to the Merits
of the Cause, and as ye fall se Matter deducit before you.

II. NEXT havand sufficient Commission, whether ye Meane
and will promise us to pronunce according thairunto imme-
diatly, and without farther Delay the Matter being first deduced.

III. THIRDLIE, Your Declaratioun being past, in caise she
be found gilty we desire to be resolved befoirhand for our
Sureties, quhether the Quene our Soveraines Moder sal be
deliverit

deliwerit in our Hands, or sic Order put to hir Person within the Realme of *England*, as the King and we sal be assurit to be saife from all dangers that may ensue upon her Liberty in Tyme cuming.

IV. FEIRDLIE, In cais she be found giltie, we desyr to be resolvit, gif your Grace and Lordships upon the Q. Majestie of *Englands* behalfe, will allow our Proceedings in Time past, as alsua her Majestie will from this furth mentene the Auctoritie of the King our Soverane Lord, and the Regiment of his Realme, and Leigis establisht in the Persoun of me the Erll of *Murray* during his Minoritie, according to the Act of Parliament past in *Scotland* thairupon.

THE Resolution of these Articles is so necessary for us, and of sa greate Importance, that we can na Wys enter to the Accusatioun or Tryal of the Mourther before we be fully answerit thairin, and the same being directlie ansyrit, we sall proced immediatly to the Tryall.

Signed,

JAMES REGENT.

A Letter

*A Letter from the Duke of Norfolk to Secretary
Cecil from York, the 9th of October 1568.*

An Original all in the Duke's Hand.

I Thowgt good to desyer Mr. Vyschamberlyne to bestowe
a Daye or too with us yff hys Charge mytt to suffer
tyme, wherby we mygt be the better instructyd what
Determynatyon that Quene had to proscade heare with us.
We fynde suche thyngs heare fall owte but hardlye, as you
maye perceave by the Letter with the Erle of *Murreys* De-
mande and the reste of the Lords sente herewith to here
Majestye, and yeat surelie consydering howe neare thys ther
Actyon ys lyke to fawche them, I cane not blame them
thowh they well foresee ther ende, tyll we heare from here
Majestye, off wyche we cowlde wyllynglye desyer sume
spede, we are att a staye, and therin we onlye hope in your
good Furderance, and so with my most hartye Commenda-
tyons I bede you most hartilye farewell. From *Yorke* thys
9th of *October* 1568.

Tours most beholdyne,

T. NORFOLKE.

*A Letter to Q. Elizabeth from her Commissioners at
York, the xjth of October 1568.*

An Original.

PLEASITHE it your most excellent Majestie to understand, that sithence our last Depeches, the Erle of *Murray* and his Colleagues to occupie the Time, have put in their Answere to the Complaynts exhibited by their adverse Partie, the Copie of which Answere we send herewith to your Majesty. And albeit they have in the same touched nothing plainlie in the Cause of the Murder, whereupon they staye and suspend their Proceadings, untill they may be resolved in their Articles proponed unto us, which we sent in our last Letters to your Majestie, yet the said Erle hath been content privatlie to shew us such Matteir as they have to condempne the Quene of *Scottes* of the Murder of her Husband, to the intent they wold know of us, how your Majestie understanding the same, wolde judge of the sufficiencie of the Matter; and whether in your Majesties Opinion the same will extend to condempne the Quene of *Scottes* of the said Murder. And so they sent unto us the Lord of *Lethingtoun*, *James Makgill*, and Mr. *George Bogwannan*, and an other being a Lord of the Session, which in private and secret Conference with us, not as Commyssioners

sioners as they protested, bot for our better Instruction after Declaration of such Circumstances as led and induced to vehement Presumptions to judge her guiltie of the said Murder, shewed unto us a Copie of a Bond, bearing Date the 19th of *Aprill* 1567, to the which the most Part of the Lords and Counsaillors of *Scotland* have put to their Hands; and as they saye, more for feare, than any lyking they had of the same. Which Band conteyned two special Points; the one a Declaration of *Bothwells* Purgation of the Murder of the Lord *Darley*, and the other a generall Consent to his Marriage with the Quene, so fare forthe as the Lawe and her owne likinge shoulde allowe. And yet in Proufe that they did it not willinglie they procured a Warrant, which was now shewed unto us bearing date the 19th of *Aprill* signed with the Quenes Hand, whereby she gave them Licence to agree to the same, affirming that before they had such Warrant there was none of them that did, or wolde set to their Hands, saving onlie the E. of *Huntley*. There was also in the Copie of the Bande, a Copie of a Warrant followinge much to that Effect, savinge that the one did licence to doe, and the other seemed to discharge and pardone that was done, which bears Date the 14th of *Maye*. It appeared also, that the selfe same Daye of the Date of this Band, being the 19th of *Aprill*, the Erle of *Huntley* was restored by Parliament: Which Parliament was the Occasion that so many Lords

were there assembled, which being all invited to a Supper by *Bothwell*, were induced after Supper more for fear than otherwayes, to subscribe to the said Band; two hundred Harkebusiers being in the Courte and about the Chamber Doore wheare they supped, which weare all at *Bothwells* Devotione; where the said Lords so muche misliked, that the next Morning by four of the Clocke, fewe or none of them weare left in the Towne, but departed without taking their Leave. Thear was also a Contract shewed unto us, signed with the Quenes Hand, and also with *Bothailles*, bearing Date the 5th of *Aprill* written as it is said with the Erle of *Huntleys* own Hand, who with one *Thomas Hebourne*, weare the only Witneses to the same. Which Contract beareth Date before *Bothailles* Purgation of the Murder, whereof he was not tried nor poured before the 12th of *Aprill* followinge, and also before the Proceffe of Divorce began between *Bothayll* and his Wief, which was not begunne before the first of *May*: and that with speede ended within eight Dayes, and the ungodlie Marriage betweene the Quene and him solempnized the 15th of *May* after, and also the 15th of *June* following, the Quene her selfe was taken by her Nobilitie. The Counterfiete and coulorable taking of the Quene by *Bothayll*, when he carried her to *Dunbar* was the 24th of *Apryll* after the Death of her Husband, who was murdered the 10th of *Februarie* 1567. There was also

a Contract shewed unto us of the Quenes own Hand, of the Marriage to be had betweene her and *Bothayll* bearing no Date, which had not *verba de presenti*, as the other had, bearing Date the 5th of *Aprill*. It appeared also unto us by two Letters of her owne Hand, that it was by hir own Practice and Consent, that *Bothaill* should take her and carry her to *Dunbar*, of Polliore as the Lord of *Lethington* told us, because else theare could be no Devyse in Lawe to pardon his foul Fact of the Murder, affirming that by the Lawes of that Realme a Pardon for great Offences includeth all lesser Factes and Offences, but extendeth to none greater than that which is pardoned; and therefore except he should commit the highest Offence, which is Treason, as he did in laying violent Hands upon his Sovereigne, no Pardon could serve to excuse him of the Murder. A fit Pollicie for a detestable Faete: After the Devise of the Murder was determined, as it seemed by the Sequell, they inferred upon a Letter of hir own Hand, that there was another meane of a more cleanly Conveyance devised to kill the King, for there was a Quarrell made betwixte him and Lord *Robert of Holie Roode House* by carying of false Tales betwixte theme, the Quene being the Instrument as they sayde to bring it to pass; which Purpose if it had taken Effect as it was very likelie, for the one geving the lye to the other, they were at Daggers drawinge, it had eased them of the Prosecution

Prosecution of the devilish Fact; which this taking none Effect, was afterwards most tirannously executed. Afterwards they shewed unto us one horrible and long Letter of her own Hand, as they saye, conteyning foule Matteir, and abominable to be either thought of, or to be written by a Prince, with diverse fond Ballades of her own Hand; which Letters, Ballades, and other Writings before specified weare closed in a litle Coffer of Silver and gilte, heretofore geaven by her to *Bothaille*. The said Letters and Ballades do discover such inordinate Love betweene her and *Bothaille*, her loothsomeness and abhorringe of her Husband that was murdered, in such sorte as everie good and godlie Man can not but detest and abhorre the same. And these Men heare do constantlie affirme the said Letters, and other Writings, which they produce of her own Hand, to be her own Hand indede, and do offer to swear and take their Oaths thereupon, the Matteir conteined in them being such as could hardlie be invented or devised by anie other than by her selfe: For that they discourse of some things, which weare unknowen to anie other than to herselfe and *Bothaille*, and as it is hard to counterfite so manie, so the Matter of them and the manner how these Men came by them is such as it seemeth, that God (in whose Sight Murder and Bludshed of the Innocent is abhommable) wold not permit the same to be hid or concealed. In a Paper here inclosed

we have noted to your Majestie the cheife and speciall Points of the said Letters, written (as they say) with her own Hand, to the intent it may please your Majestie to consider of them, and so to judge whether the same be sufficient to convince her of the detestable Crime of the Murder of her Husband, which in our Opinions and Consciencs, if the said Letters be written with her own Hand, is verie hard to be avoided: Most humbly beseeching your Majestie that it may please the same to advertise us of your Opinion and Judgment therein: and to direct us with such speed as to your Highness shall be thought convenient, how we shall proceede further in this great Matter. And so for the more Expedition sending this blotted Letter to your Majestie (whereof we crave Pardon) we beseeche Almighty God to preserve your most excellent Majestie in good Health and long Life, most prosperously to reigne over us. From your Majesties Citie of York the xjth of October 1568.

Your Majesties most humble, faithfull,

and obedient Subjects,

T. NORFOLKE.

T. SUSSEX.

R. SADLER.

The

The Answer of the Earl of *Murray*, &c.
to the beforementioned Complaint and
Accufation,

INTITLED

*The Answer of us James Erle of Murray, Regent of
the Realme of Scotland, and remanent Commis-
sioners appointit for the King's Majestie of Scot-
land our Soverain Lord in his Hienes behalf, and
for our selfis and remanent States and People his
Majesties faithful and obedient Subjectis, to the
Lettre presentit to your Grace and my Lords Com-
missioners for the Queen's Majestie of England,
on the behalf of the Q. Moder to our Soverain
Lord.*

An Original.

IT is notour to all Men how umquhile K. *Henry* Father to
our said Soverain Lord was horribly murdered in his Bed.
James sometime Erl *Bothwel* (being well known for
chief Author therof) entered in so great Credit and Autho-
rity

rity with the Quene then our Soverane, that within three Monethis after the Murthar of her Husband, the said Erle plainlie enterprisit to revish hir Persoun, and leid hir to *Dunbar* Castell, haldand hir thair as Captive a certane Space; during quhilk he causit divorce be hed betwixt him and his lauchfull Wyfe, and suddanlie with the End thairof accomplisit a pretendit Marriage betwix him and the Queen. Quhilk strange and hasty Proceeding of that godles and ambitious Man, efter murthering of the Quenis Husband, in sic sort to atteyne to her awin Marriage, the Governament of the Realme, and Power ower hir Sone our Soverane Lordis Persoun, with the Ignominy spokin amangis all Nations of that Murther, as though all the Nobilitie had bene alike culpable thairof: Sua movit the Hartis of a gude Nowmer of thame, that thai thocht na thing mair godlie nor mair honorable in the Sicht of the Warld, then be punishing of the said Erle chief Author of the Murther, to releve otheris saikleflie calumpniat thairof, to put the Quene to fredome furth of the Bondage of that Tyran, that presumptuouslie had enterprisit to revysh and marie hir, quhais lauchwfull Husband he could not be, neyther she his lauchfull Wyfe: And to preserve the innocent Persoun of our native Prince furth of the Handes of him that murtherit his Fader. For quhilk Purpos taking Armis, the said Erle cume aganis ws, leadin the Quene then our Soverane in his Cumpany, as a Defence and Cloik to all his Wicketnes, accompanyt with a greit Force that he

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had

had brocht to the Feild, with Cartis, Ordinance, and wageit Men of Weir. Quhair to decide the Querrell quhilk wes onlie intentit aganis him, and the remanent knawin Murtheraris without Bludesched of ony innocent Man, it wes offerit at twa severall tymes, be the Noblemen seking the Punishment of the Murthur, to try the Mater with him in singular Battell according to the Law of Armis, as he be his Cartell of before had proclaimit. Quhilk being schifitt delayit, and in the End uterlie refusit be him, he escapit be Flicht; and the Quene preferrand his Impunity to hir awin Honor, wald se him conveyit away: And to the End he suld not be followit nor persewit, she come hir self to the Noblemen assemblit aganis him, quhilk convoyit hir to *Edinburgh*. And being thair, informit her of the verie Cause that had drevin thame to that Forme of dealing, humlie requiring that she wald be content to see the said Erle and uthers the King hir Husbandis Murthereris punissit, and that pretendit and unlawfull Mariage, quhairin she was unprovisitlie enterit, to be dissolvit for hir awin Honor, the Saulfgard of hir Sone, and the Quietnes of hir Realme and Subjectis. To quhilk na uther Answeare culd be obtenit, bot rigorus minassing on the ane Part, avowand to be revengit on all thame that had schewin thame selfis in that Cause, and on the uther Part offerand to leif, and gif over Realme and all, sua she mycht be sufferit to posses the Murtherar of hir Husband. Quhilk hir inflexible Mynd, and ex-

tremitie of Necessitie compellit thame to sequestrate her Person for a Season fra the Company, and having Intelligence with the said Erle *Bothwel* and uthers his Fauterers, quhill further Tryall mycht be takin, and Execution made for the Murther. During quhilk tyme she finding hir self, be lang irksom and tedious Travell takin be hir in the Government of the Realme and Lieges thair of, so vexit and weryt, that hir Body, Spirite, and Sences wer altogidder unable langer to occupy that Realme; and persaving be thingis that had past before that Tyme betwixt hir and hir People, that nowther she culd wele allowe of thair Doingis, nor thay like of hir Fassions; and for uther Considerationis moving hir for the Tyme, Thairfore dimittit and renuncit the Office of Governament of the Realme and Lieges thair of, in Favors of hir onlie and maist dear Sonne the Prince of the same. And becaus of his tender Youth and Inabilitie to use the said Governament in his awin Person during his Minoritie, constitute me the said Erll of *Murray*, (being then absent furth of the Realme, and without my Knowlege) Regent to his Grace, the Realme, and Lieges; an quhill my returning, or in Caise of my decease, or not Acceptation, maid and constitute diverse uther Noblemen, Regentis: As her several Commissions to that effect subscrivit with hir Hand, and under the Privie Seill beris, And that voluntary, na Compulsion, Violence, or Force, Vsit or Practisit to move hir thairto. According to the quhilk hir Dimissoun and Re-

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signation,

signation, the King now our Soverane Lord, wes dewlie,
 richtly, and orderly crownit, investit and possessit in the King-
 dome: And I the said Erll of *Murray* lauchfullie placeit, en-
 terit, and admittit to the said Office of Regentrie. Quhilkis
 Coronation of our said Soverane Lord, and Acceptatioun of
 the said Office of Regentrie, wer not onlie reffavit and uni-
 versallie obeyit over all the hail Realme as lauchfull and suffi-
 cient, evin be the maist Part of thame that in thir six Monthes
 last bypast, hes withdrawin thair debtfull Obedience fra his
 Graccis Authoritie, and interprisit to establishe and set up ane
 uther: But as in a lauchfull, fre, and plane Parliament, (quhairat
 they wer present) the same Coronatioun and Acceptatioun of
 the Office of Regentrie, wer be perpetual Lawes maid, and
 publict Acts sett furth, decernit to be lauchfully, sufficient-
 ly, and richtuuslie done; as alsua all uther thingis intentit,
 spokin, writtin, or done be thame, or any of thame to that
 effect, sen the 10th Day of *Febr.* 1566. upoun the quhilk
 Day the said vmquhile King *Henry* than the Quenis lauchfull
 Husband wes murtherit, unto the Daite of the said Act, and
 in all tyme to cum touching the said Quene and detenyng
 of hir Persoun, that Cause and all thing depending thairon:
 The Intromissioun or disponyng upoun hir Propertie, Casu-
 alities, or quhatsumevir thing pertening, or that ony wise
 micht pertene to hir; Likeas at mair lenth is contenit in
 the Acts, Laws, and Constitutionis concludit, maid, and sett
 furth in the said Parliament. Quhilkis Actis and Lawes with
 our

our Soverane Lordis Authoritie, and the Regiment of me the said Erll of *Murray*, wes universallie obeyit over all the Realme, but contradiotioun; Quhill sum of the Nobilitie and uthers that in the said Parliament be fre Votes, and uthers wyse be thair Hand writis had acknowlegit and avancit the Kingis Authority, and Regiment established in his Name, impatient to se the puir People of the Realme enjoy Quietnes and guide Dayes, and disdainand to se Justice proceed as it wes begun, and liklie to have continewit to the punishment of mony Offenders ower the haill Cuntre according to the Lawes: First practizit to bring the said Queen out of *Lochlevin*, contrary to the Acts maid in the Parliament, and then be open Force to destroy and subvert the publick Governament and Authoritie of our Severane Lord establishit be the States, against thair promissit Obedience and Hand-writes; and for that Purpos procedit in all kynd of Hostilitie, quhill on the 13th Day of *May* last bypast, that God respectand the Equitie of the Cause, confoundit thair Interpryse, and grantit the Victorie to the King and sic as constantlie continewit in his Obedience; zit sensyne they have perseverit in thair Rebellioun, abstractand thair debtfull Obedience fra our Soverane Lord and his Authoritie, practizing all thingis that mycht subvert and owerthrow the same; inhalding of Houses, proclayming of uthers Authoritie, cuming to the Feildis in werlike maner with displayit Baneris, taking and impresoning of Officiaris of Armes and uthers

fre Personis, raising of Impositions of Burrowis, and under pretence of Law summoning Houses, banishing and rigorously pursewing diverse the Kingis gude Subjectis for na uther Cause, bot onlie the serving of the King thair native Sovereane Lord.

It is thairfore requirit in his Hienes behalf, that he, and this Regent in his Hienes behalf, may peciabillic enjoy and governe his Realme according to Godds Calling; and that his Majesties dissobedient Subjectis may be causit recognosce thair debtfull Obedience, and quhat the Ordorers of Justice hes ordainit may ressave full Execution. Protesting alwayes that notwithstanding this our Answear, we may eik to the same, as the Occasioun fall serve, and as the neid may require.

JAMES REGENT. MORTOUN.

PATRICK AD. ORCHAD.

LYNDSAY. DUNFERMLING.

*Notes drawin furth of the Quenis Letters sent to the
Erle Bothwell.*

IM PRIMIS after lang Discourse of hir Conference with the King hir Huisband in *Glasgow*, sche wreatis to the said Erle in thir Termes, " This is my first Jurnay
" I fall end the same the Morne, I wreit in all thingis
" howbeit they be of littill weycht to the End that ye may
" tak the best of all to judge upoun, I am in doing ane Wark
" heir that I haitte gretlie, haif ye not desyr to lauche to
" sie me lie sa weill, at the leist to dissemble so weill, and
" to tell hym the Treuth betwix handis.

Item, SCHORTLIE after, " we are coupled with twae fals
" racis, The Devill syndere us and God mot knit us togid-
" der for ever for the maist faithfull Cupple that ever he
" unitit, This is my Faith, I will die in it.

Item, THAIREFTER, " I am not weill at ease and zeit
" verray glaid to wreit unto you quhen the rest ar slepand,
" sen that I can not sleip as they do, and as I wald desyir,
" that is in your Armis my deir luife.

Item, A littill thairefter, " Adverteis me quhat ze haif de-
" liberat to do in the Mater ye knaw upoun this Point, to
" the End we may understand utheris wele, that nathing
" thair throw be spilt.

Item,

Item, THUS sche concludis the Lettre, “ wareit mocht
 “ this pokishe Man be that causes me haif sa meikill pane,
 “ for without hym I wald haif ane far mair plesant Subject
 “ to discourse upoun, he is not our meikle spilt bot he is
 “ gottin verray mekill, he has almaist slane me with his
 “ Braith, it is war nor your Unclis, and zeit I cum nae
 “ neirar bot sat in ane Cheir at the Bedfute, and he beand
 “ at the uther End thairof.

Item, THAIREFTER, “ Ye gar me dissemble sa far that I
 “ haif horring thairat, and ze caus me almaist do the Office
 “ of ane Trahatores. Remember yow yf it wer not to obey
 “ yow, I had raither be deid or I did it, my heart blidis at
 “ it. Summa, He will not cum with me except upoun
 “ Conditoun that I fall be at bed and bourd with hym as
 “ of befoir, and that I fall leif him na efter.

Item, SCHORTLIE thairefter; “ Summa, he he will gae
 “ upoun my Word to all Places, alace I never dissavit any
 “ Bodie, bot I remit me altogidder to your will. Send me
 “ Advertisment quhat I fall do and quhatsumever fall cum
 “ thairof, I fall obey yow; Advys to with yourself yff ye
 “ can fynd out any mair secreit Invention be Medicein and
 “ the baith in *Craigmillar*.

Item, THAIREFTER, I fall draw out all thingis out of hym
 “ gif ye will that I advow all thingis unto hym, bot I will
 “ never rejois to dissave any Bodie that trustis in me; zet
 “ notwithstanding ye may command me in all thingis, haif
 “ no

“ no evill Opinioun of me for that Cause be reason ye ar
 “ the Occasioun of it your self, because for my awn par-
 “ ticular Reveng I wold no do it to hym.

Item, AFTER, “ For certaintie he suspectis that thing ye
 “ know, and of his Lyif, bot as to the last how sone I speak
 “ twae or thrie guid Wordis unto hym he rejois and is
 “ out of doubt.

Item, SCHORTLIE thairefter “ all the *Hamiltounis* are heir
 “ with me and accompanies me verry honorablay.

Item, THAIREFTER, “ Be not offendit for I gif not our
 “ mekill credyt now, sence to obey you my deir Luife I
 “ spare nouthar Honor, Conscience, nor Gretnes quhat-
 “ sumever, I pray yow tak it in guid Part and not after
 “ the Interpretation of your fals guid Bruther, to quhom I
 “ pray yow gif nae credyns agains the maist faythfull Luifer
 “ that ever ye had or ever fall haif. Sic not hir quhais
 “ fenzeit tearis suld not be samekill prayfit nor este myt
 “ as the trew and faythfull Travaillis, quhilk I sustene to
 “ merit hir Place, for obteyning of quhilk againis my na-
 “ turall I betray thame that may impesche me. God forgive
 “ me and God gif yow my onlie Luif the Hape and Pro-
 “ speritie that your humble and faythfull Luif desyris unto
 “ yow, quha hoipis schortlie to be ane uther thing unto
 “ yow.

L

Item,

Item, IN the Credit gifin to the berar, quhome we under-
 “ stand was *Pareis*, “ Remember yow of the Purpois of the
 “ Ladie *Reires*—of the Ludgene in *Edinburt*.

Item, IN ane uther Lettre sent be *Betoun*. “ As to me
 “ howbeit I heir noe farther newes frome yow, According
 “ to my Commission I bring the Man with me to *Craig-*
 “ *millar* upoun *Munday* quhair he will be all *Wendisday*.
 “ And I will gang to *Edinburt* to draw bluid of me, gif in
 “ the mene Tyme I get no newes in the contrair from
 “ yow.

Item, VERRAY schortlie after. “ Summa ye will say he
 “ makis the Court to me, of the quhilk I tak so gret Ple-
 “ seur, that I enter never quhair he is bot incontinent I tak
 “ the Seiknes of my syde, I ame soe faschit with it, yff *Pareis*
 “ bring me that quhilk I send hym for, I treast it fall amend
 “ me. I pray yow adverteis me of your newes at length,
 “ and quhat I fall do in caice ye be not returnit quhen I
 “ cum thair, for in cais ye work not wyselie I sie that the
 “ haill burthin of this will fall upon my Schulderis, pro-
 “ vyde for all thingis and discourse upon it first your self.

Item, IN ane uther Lettre. “ I pray yow according to
 “ your promise to discharge your Hart to me, utherways I
 “ will think that my malheure, and the guid composing of
 “ thame, that hes not the thrid Part of the faythfull and
 “ willing Obedience unto yow that I beyra, has wyne againis

“ my Will that Advantage over mē quhilk the secund Luif
 “ of *Jason*, wair not that I wolde compair yow to ane sa un-
 “ happie as he was, nor yeit myself to ane soe unpetifull a
 “ Woman as sche, howbeit the Cause ma be sumquhat lyck
 “ unto hir in ony thing that twichis yow, or that may pre-
 “ serve and keip yow to hir to quhome ye onlie appertein,
 “ yf it may be suer that I may appropriat that quhilk is
 “ wonne throuche faythfull yea only luiffing yow, quhilk
 “ I do and fall do all the Dayis of my Lyif for pane and
 “ evil that can cum thereof. In recompense of the quhilk
 “ and of all the evill quilks ye haif beine Cause of to me,
 “ Remember yow upon the Place heir besyd, &c.

A Letter from the Duke of Norfolk directed To the Earl of Pembroke, Lord Steward of the Quenes most honourable House, And to the Earle of Lecestre, and William Cecill Knight principal Secretary to the Quenes Majesty, from York the-xith of October 1568.

An Original all in the Duke's own Hand.

AFTER my most hartye Commendatyons to your good Lordsh. I have forborne all thys whyle to writte ennye thyng unto you becawse the Quenes Majestyes Letters dide ever conteyne as muche as we cowlde wrytte off ower Procedynges heare, and att thys Tyme allso we have wrytten in here Hyenes Letters what ys chancyd off newe, marrye, the Occasyon of thys my wrytyng unto you at thys Tyme, ys to putte you in remembrance off your Promysys made unto me, wyche was that you taryyng behynd wold furder us in thys her Majestis Sarvys, as we in enye reasonable Request cowlde desyer. By thes ower too last Letters wrytten unto here Majesty, you maye see we are gone as fare as we cane tyll we receave Answer from here Hyenese ageyne, and for my none parte I thynke I may assurydlye saye, that the Regent and ther syde (as by

2 ther

ther warie delying you maye perceave) mynde to proccede no furder tyll they maye assure them selfis, what here Majestye thynkes of thes cawsys, that they have schewyd us to charge ther Quene withall, what here Jugement schall fall owte therupon, as allso after Jugement in what Leage her Hyenes (the Matter fallying owte manifestlye) myndes to joyne with ther Kynge, and them that nowe by ther Parlement have the Governement off that Realme, Thynk them not my Lords to be to presyse, juge them as we wold juge off ower selfis yff we were in ther Cace, they playe att no small game, they stand for ther Lyves, Lands, and Goods; and they are not ygnorante yff they wolde for ytt ys everye Daye told them, that as longe as they absteyne from towching ther Quenes Honor, sche wyll make with them what reasonable Ende they cane devyse, Ytt were pytye that they for somuche trustyng to us schuld hender ther owne Cawse. Ther ys but too wayes to be taken, the one yff the Facte schall be thowght as detestable and manefeste to you, as for owght we cane perceave ytt semethe here to us, that condynge Jugement with open Demonstratyon to the holle World, with the holle Cyrcumstanys, and playne, true, and indyfferent Proccedying therin, maye dyrectlye appeare, off the wyche for ower owen Dyscharge we doe not omytte to kepe good and sufficyent Memoryalls, not forgettyng with what manner off Person we have to deale, nor yeat howe the uprygt
handlyng

handlyng of thys Cawse schall importe us bothe in Honor and Honestye to the holle Worlde. The other ys, yff here Majestie schall not allowe off thys, then to make suche a Composycion as in so broken a Cawse may be, off ether of wyche for her Hyenys better Sarvys we desyer to be advertysyd with spede, havynge nothyng to doe tyll we have full Resolutyon from here Majestie, but to dryve on the Tyme by dylatorye Pleees, as by my Lord Regents Answer sent unto hir Hyenes you maye perceave; whether you take the fyrst waye or the last, one thyng wold be presentlye well wayed and consyderyd amongst you, and theruppon we to receave your Resolutyon, what meanes and wayes you wyll have usyd for the Reconcylyatyon, and compondyng off the dyfferencys betwyne the Regent and hys Partye off the one syde, and the Duke with the *Hameltons* off the other, whoes Partye I thynke as good as ther Quenes, and for my none Parte what Ende soever you take, I thynke you schall make but boched Work yff you doe not sowndlic and perfectlye conclude thowes Dyfferencys: He beyng ther amongst you, you cane better tell what Humor for Reconcylyatyon he ys in than we heare, and yeat I feare me whan you have wrowgt hyme ther, he must cume hether before enye full Conclusyon wyll be made, as long as he dremes off a Maryage to be hade betwyne hys Sone the Lord of *Arbrothe* and thys Quene, I thynke you schall fynde that he wyll
harkne

harkne to no Ende, I fynd so much by sūme secrete Intel-
lygenſe that I have heare. And thus you may ſee howe
farre in Friendchype to you as to my aſſuryit Frynds I wade
in thys moſt brykle Cace, for hear is no Bodye of enye
ſyde, but that for feare or myſtruſt makes Curteſye to utter
playnlye ther mynds in that Cace wherein they knowe not
the Ende. And ſo for thys Tyme wyſchyng to your Lord-
ſhips more quyetnes than we yeat cane fynd heare, aſſuryng
you that thereys no hope off farder proſedyng heare withowt
here Maieſtyis reſolute Determynatyon. I bede you moſt
hartelye farewell. From *Yorke* thys ijth of *October* 1568.

Your good Lordſhips

moſt aſſuredlye

T. NORFOLKE.

The

The Reply of the Q. of *Scots* Commis-
sioners to the Earl of *Murray's* Answer,

INTITLED

*The Replye and true Declaration off the Commis-
sioneris in the behalf off the Quenis Hienes of Scot-
land oure Sovereigne ; To the Answer of James Erle
of Murraye, and his Adherents exhibited wnto the
Dukes Grace of Northfolke, and the Lordes Com-
missionares aucthorized by the Quenis Majestie of
England.*

Ane Original.

QUHAIR as in the Answer presentit to your (G.)
and otheris the Commissioneris of the Quenis Ma-
jestic of *England*, to the Compleynte gevin in be-
ws in our Soveranis Name, declaring thairby, that quhair our
Soveranis laitt Husband wes Murderit, &c. Hir Hienes, we
and others hir trew Subjectis, dois maist sorowfullie lament
that Tragedy, mynding (with the Avise and Counfall of the
Q. Majestic of this Realme) maist rigorousslie to pwnishe
the same, and gif hir (G.) had nocht bene trwblit in her
aucthoritie, the same wald haiff tane effect or now, and be-
caus

caus in there Answer, thai allege oure said Sovereigne voluntarilie, wncompellit, to haif dimitted and resignit the Governement of hir Realme and Liegis to hir Sone the Prince, and constituted *James* Erle of *Murray* Regent during his Minoritie, with other invented Clausis to hir Hienes Dishonour and Disawantage.

FIRST, adhering to our formair Protestation, that oure said Sovereigne being ane free Princes, with ane Imperiall Crowne granted her by God, acknowledges na Superior in Erth: And thairfor may not be content, that her Majesties Estate and Crowne cum in question before any Juge, yet nevertheless, for the declareing of the Trueth and Veritie, to the Quenis Majestie of this Realme, your (G.) and my Lords Commissioners, of sic thingis allegit be thayme contrare our Sovereane, we do replie as follows.

THAT quhaireas it is allegit, that the Complices of the Erle of *Murray*, tuke Occasione to put thame selfis in Armes, aganis the Quenis Hienes thair Sovereigne, becaus *James* Erle *Boythweill* being in sic grete Credit and Auðhoritie with his Sovereigne, being knawin (as thai afferme) the cheiff Auðhor of the horrible Murder comitted on her said Husband, &c. Quhilk can na ways excuis thair wnnaturall and disobedient Fact for thair Part, for gif he wes principall Auðhor of the Murder, the same wes never knawin, nor manifest to her Hienes, bot the Contrare did weill appere to her (G.) be reffone the said Erle of *Boythweill* being suspect-

ed indytit, and ordorlie summoned be the Lawes of that Realme, wes acquite be ane Assyse of his Peares, and the same ratifiet and confirmit be Authoritie of Parliament, be the greatest Part of the Nobilitie, asweill of the Principallis quhilk nowe withdrawis thame selfis sensyne from the Quenis Majestie thair Sovereignes Obedience, as otheris hir faythfull Subjects, Quhilkis also consented and solicted our said Sovereigne to accomplishe the said Marriage with him, as the Man maist feitt in all the Realme of *Scotland*; In so doing promesing him Service and her Hienes loyall Obedience, and mony of thame selfis geff thair Bandis unto him, to defend him aganis all thais quhafoever mycht challenge or persew him thairefter for the said Cryme, As thair Handewrittings can testifie. And farther thai nor nane of thame either before the Marriage or efter, cam to her Hienes (as the Part of trew Subjects should haife done) knawing at that Tyme (as thai asserme) the contrare either privatelie or oppinly to find Fault with the said Erle concerning the Murder forsaid, or yet in ony ways seemed to grudge or disalow the said Marriage, wnto sic tyme thai had practised the Keipar off the Castell of *Edinburgh* and Provest of the Towne to be thair Assistaris, and then secreitlie tuke Armes and uppon the suddan on the Nyght with thair Forces environed the Castell of *Borthwike*, quhaire her Majestie wes in quiet and peceable Maner. So that thair first warning wes be sownde of Trumpett and thair Sycht in Armes, and her

(G.)

(G.) eschaping to *Dunbar*, quherethrow thai could not attaine to thair conspyrit Purpos, returnit suddenic to *Edinburgh* raisit bandis of Men of Warre, sett out thair Proclamations, afferming the same to be for her releiff, wmbesett hir way betwix hir (G.) Castellis of *Dunbar* and *Edinburgh*. And her Majestie willing for the tender Love her Hienes bair hir Subjectis to stanche all effusions of Blwde amangis thame, did not prefer the Impunitie of the Erle *Boythweill*, to her awn Honor in seing him conwoyt away, as in there Answer is contenit: For thai being on the Feilde in arrayt Battell aganis hir Majestie send the Lard of *Grange* to her Hienes, and desyrit her (G.) to caus the Earle *Boythweill* pass of the Feildes alleging him suspect of the said Cryme wnto the Tyme the Caus mycht be tryit, and that her (G.) wald pass with thame and use the Counfall of her Nobilitie, and thai sould honour, serve and obey her Majestie as thair Princes and Sovereigne; And upon thair promeis for eschewing of Bludshed as said is her Majestie consented thairto, and passit with the said Lard of *Grange* to thame, quho at the samyn Tyme tuike the Erle *Bothweile* be the Hand and baid him depart, promesing that na Man shold folow nor persew him. And swa by thair awin consent he passed away, and gif they had bene myndit to persew him onlie, thai wald not haif left the doing of all Diligence was possible quhairthrow he mycht haif bene tane, Bot fra thay had gottin her Majesties Persone in there Handes,

thai maid na trawell nor persuit aganis him sa lang as he was in the Cuntrey neir theme, quhare he remanit ane gryte Space, and mycht haif apprehendit him more eisialie, nor quher lang tyme he being furth of the Realme and wnrecoverable, maid ane colorit maner of seiking of him upon the sey, as now it appeiris manifest, it was nocht him they socht, bot thair awin particular profit; quhairthrow to all Men of haill Judgement it may apere her (G.) preferrit nocht his eschaiping and Impunitie to hir awin Honour: For quhatsoever wes left ondone in that behalfe, it may maist justlie be laid to thair awin charge. And thairafter at her (G.) first cuming to thame on the Feildes, The Erle of *Mortone* said to hir Majestie with gryte reverence; MADAME, heir is the Place zour (G.) should be, and we will honour, serve, and obey zow, as ewer the Nobilitie of this Realme did ony of zour Progenitors of before, and haiffing ratified the Promeis maid be the Lard of *Grange* in thair Names, hir Majestie passing with thame to *Edinburgh* being ludgit in ane sempill Burges Hous, (setting asyde her awin Pallaces and Castellis) and ruidlie and rigorousslie entreated with thame, contrar thair promiseis, being thair Princes and Sovereigne, it was na wonder in case her Majestie had gevin theme quike and scharpe Answeris, (as we belieff nocht wnreasonable) bot was always content, tuitching ony thing alleged be thame to offer the same to be reformed be the Tryall of the haill Nobilitie, and Estaitis of the Realme, her (G.) being present
and

and hard, and to that effect directit her Secretare *Lethingtowne* to thair Counfall that held her captive at that Tyme, and wes aluterlie refused thair of, And maid na offer to leif the Realme that her (G.) mycht possesse the Erle *Boithweill*, (as thai allege) And thairefter her (G.) was secretlie convoyed perforce and agane her will in the Nycht, and inprisoned within the Fortalice of *Lochlewin*, quhair thai allege her Hienes finding herself irksom and wearie of the Governement of her Realme and Liegis thair of, for the quhilk and uther Considerations moving her Majestie dimitted the same in Favours of the Prince her Sone, constituting the said Erle of *Murray* his Regent during his Minoritie willinglie and wncompellit thairto.

It is manifest the trueth to be otherwise, as evidentlie may appere be mony findrie and infallible Reasonis. For first her Majestie is nocht of sic Aige or subject to Maladies and Seiknes, (thankis to God) or so wnable of her Persone, for to refuse that quhilk God had gevin her Hienes to reule. And it is certane before the subscriyving of the alleged Dimissione, that the Erle of *Athole*, Lardis of *Tullibardine* and *Lethingtowne* being principallis of thair Counfall, sent *Robert Melwile* to her Hienes with ane Ring and Toikenis, counselling hir Majestie to subscriyve sic Wreitingis as would be presented to her (G.) for dimissione of her Crowne, for to put of that present Deith quhilk was prepared for her Hienes, gif she refused the same, assuring her quhatsumever her
Majestie

Majestie did in Captivitie mycht nocht prejuge her Hienes in na sort: And als the said *Robert Melwile* brocht at the same Time ane Wreting fra Sir *Nicolace Throgmortone* wreit-
 tin with his awen Hand, desyring her Hienes to subscribe quhatever thai woulde requier her wnto, For the Estate, quhair-
 in her (G.) was then coulde not prejuge her quhatever her Majestie subscribed, quhom to her (G.) sent Answer in writ, that her Hienes woulde use his Counfall, and prayed him to declare wnto her dearest Sister, the Quenis Majestie of *England* his Mastres, how her Hienes was handilit be her Subjectis, And quhat Estaite her (G.) was in for the Tyme, and to declare also that the subscribing of that Dimissione was against her Will, and doubtes nocht bot the said Sir *Nicolace* schewed the samyn wnto the Quenis Majestie of this Realme, her Hienes being myndit at that Tyme to haif send ane armie in *Scotland* for the delyvering of her Majestie furth of Preissone, war not her Majestie was swrlie advertesit in case her Hienes had so done, the Bloude of oure Mastres had payt the Wages of her Hienes Souldours, and at the presenting of the saidis Wretingis of Dimission of her Crowne to her Majestie be the Lord *Lyndsay*, he menassit her (G.) that gif she woulde nocht subscribe he had Command to put her presentlie in the Towre, and wolde do the same, and counsaied her to fulfill thair Desyre, or ellis war woulde schortlie follow; Quhilk her Hienes subscribed with mony Teares, never luiking what was contenit

in the Wretings: Declaring plainly thaireftir gif ever her (G.) com to Libertie, wolde never abyde thairat, becaus it was againft her Majesties Will, and als the Lard of *Lochlewin* being then her Keipar would nocht cum present, and defyrit ane Wreiting of her Hienes to testifie that he was nocht present the Tyme of her Subscription, becaus he knew the same to be done againft her Will; and that the same should nocht be impuit to him in Time cuming, quhilk Wreiting he obtened: And gif probable appearance should haif place, her (G.) Conditione had bene werray straite and miserable in the said Dimiffion, quherin nether her Hienes had reserved anie Portione of her Revenue thairon to haif leivit, nor obtened thairby her Libertie, nor zit swir Promeis or Affurance of the Saistie of her Lyff. Quhilk Premiffes being confidered, oure said Soverane hes na ways prejued, her Title and Estaite in the said forsit Dimiffione, quhilk neithir Law of God nor Man dois appreif; for at her furth cuming of the said Preifone, in prefence of ane gryet Part of her Hienes Nobilitie in *Hammyltowne* revoikit the said pretendit Dimiffion of her Crowne, and all that followth thairupon, affirming the same be ane folemn Aith to haif bene done for feir of her Lyff.

THE pretendit Coronatione of her Hienes Sone, in respect of the Premiffes alsweill undewlic and unorderlie led, can prejuge her Majestie in na ways, for where in that Realme thair is ma Erlis, Bischopis, and Lordis, haiffing Voice in
Parliament

Parliament nor ane hundreth, off the quhilk the haill or at the least the grytest Part should haif consentit heirto, and to all other publick Actionis of consequence, wer onlie four Erles, quhair of the most honorable hes nocht the sevint or eycht Place in Parliament amangis the Earles, nor the first of twenty Voitis, emongis the haill Estaitis ; sex Lordis onlie, quha wer all at her (G.) taking, together with ane Bischope, and twa or three Abbotis and Prioris: Quhilk coulde be na sufficient Number, to determene and conclude so weightie an caus, Protestations opinlie being made quhatsoever was done at the said Coronatione, contrare her Majesties Estaite Royall, her Person, or zit in affirming anie Regent, should in na ways pre-
 juge her Hienes self, nor her Estate Royall, nor zit the nerrest lauchfullie descendit of her Majesties Progenitors Blwde, Kingis and Quenes of *Scotland*: Becaus her (G.) had bene lang Time bygane, and at that Tyme straitlie and rigorousslie kepit within the Fortalice of *Lochlewin*; quhair nane of her faythfull Subjectis, nor the King of *Frances* Ambassador being present for the Tyme, nor zit the Queen of *Inglands* that com thairafter to that Effect, mycht haiff frie Access to her Hienes, to know quhether the said Dimissione, was willingly done be her Majestie or nocht, As autentick Instrumentis, in presence of the forsaid Number of the Nobilitie thair present taiken will proport. For gif her (G.) had willingly dimitted the same (as her Hienes did not) her Hienes could nocht haif nominat the said Erle of *Murray* Regent,

for thair was otheris, quha haif bene preferred to him, quha was mair lawfull, and had mair right thairto, and worthelie usit the Government of that Realme, in our said Soveranis Minoritie. Quharthrow the said pretendit Coronatione, the allegit investing, and wrongous Election of the said Regent nor the affirming thairof be pretendit Parliament, wes nether, dewlie, richtlie, nor ordourlie done (as in thair Answer thai affirme) nor zit obeyit universalie within the haill Realme, becaus ane gryet Part of the Nobilitie and specialie of the maist principallis, never obeyt, voitit, or subscriyved with them, bot ever enrolit and held thair Courtis in the Quenis Majestie thair Soveregnis Name. And utheris quhilk did compere in the said pretendit Parliament tuik Instrumentis and Protestations, baith in Articles, and at the voiting Tyme in plane Parliament, that thai consentit to na hurt of the Quenis Majestie Persone, Estaite Royalle, her Crowne, farther nor her Hienes would frelie appreif her self being at Libertie, nor zit wolde voite in anie thing concerning her (G.) Honor nor Lyff: Bot planelie opponit thameselfis in the contrare, howbeit thai haif causit insert wthirways in thair pretendit Actis, and will suffer in na wayes, thair Clarkis to gif furth the foresaid Protestations. And quhare it is allegit that certane of the said Nobilitie favoraris of the Quenes Majestie thair Sovereigne war impatient to see the puir Peple of that Realme enjoy Quietnes, and desdaning to see Justice pro-

N

ceede,

ceede, to the Punishment of the Offendoris, over the haill Realme. Bot the contrare, the eternall God knowis, and Men in Erth dois testifie, quhat Murder, and Bloudshed, quhat Theift and Reiff, quhat Destructione of Policeis, in casting downe Cathederall Kirkis, and true Barrons Houses, and taking up of true Mens Gudis to satisfie thair Souldours, haif bene comitted sen that pretendit Coronatione and usurpit Regiment, as be the Particularis will appere; quhen thai shall be gevin in, the lyke quhereof in Cronicles hath nether bene hard, sene, nor writtin thir mony hundreth Zeiris.

AND to the last allegit Offencis, comitted be our said Sovereignes Liegis and true Subjectis, in withdrawing theme from the said pretendit Authoritie, in haulding of Houffes, cuming to the Feildes in warrelik Manner, taking and inpreiſſoning of Officiaris for making of Proclamations against thair Authoritie, we affirme the same, in sa far as it was be the Comandment of our said Sovereigne Ladie in Execution of Justice, to be maist justlie and dewlie and ordourlie done, as thai that had lauchfull Power and Auſthoritie of her Hienes granted hereto, and quhofoever hes done ony sic Actes nocht auſthorized be her Majestie, we affirme the same maist wrangfullie and unjustlie done.

IT is thairfor requirit in her Hienes behalf, that her (G.) may be supported and fortifeit be the Quenis Hienes of
England.

England, to peaceablie enjoy and govern her Realme, and Liegis thair of, according to it that God hath called her (G.) wnto, and thair usurpit and pretendit aucthoritie to be null from the Beginning, and all that followeth thairupon, and that the Wrongis comitted be thame, alsweill towartis her Hienes self, as utheris her faithfull and obedient Subjectis, may be reparit according to all Equitie and Reasone, that na furder Trouble ensue thairupon, alwayes protesting to adde to thir Premisses as Tyme and Neid shall requyre.

JOANNES ROSSEN. HERRYS.

BOYD. LEVYNGSTON.

KILWYNING. LOCHINWAR.

SKIRLING. Kingt.

A Letter from the Duke of Norfolk To Sir William Cecill, from York the 15th of October 1568.

An Original all in the Duke's own Hand.

WE have lytle of News to wrytte unto you, but remayne expectyng Letters from here Majestye, tyll the recepte wheroff we knowe not wyche waye to prosede, thys Cawse ys the huirtfullyst and dangerousst that ever I lette in, yff you sawe and harde the constante affyrmyng off bothe Sydis, not withowte great Stowntnis you wolde wonder. I fynd by sume Spechs cast owte by thys Quenis Commysyiners, that yff in the Ende sche be dryvene to her Tryall sche wyll desyer that sche maye be present in Person, a thyng that in my Opynyon hathe neade of good Consyderacyon, you schall fynde in the Ende that as ther be sume fewe in thys Companye that mynde playnlye and trulye, so ther be others that seke hollye to sarve ther owne partycular Turnes, the wyche beyng done they care not what becomes nether of Quene nor Kynge. And this good Mr. Secretarye beyng more weryyd with the Inconstancys of thes Menes Doyngs, than with enye other Travel I bede you most hartelye farewell. From *Yorke* thys 15th of *October* 1568.

Yours most beholdyng,

T. NORFOLKE.

A Letter

P. S. The Quene of *Scotes* in respect of herselfe I thynke hath better Frynds of the Regents Side than of heare owne.

*A Letter from the Queen of Englands Commissioners
To Sir William Cecill, Secretary from York, October
the 20th 1568.*

An Original.

AFTER our right hearty Commendations. Theis
shalbe to signifie unto you that upon *Munday* Night
we receaved the Q. Majestys Letters of the xvth
of this present. And also your Letters the next Morninge
after, with the Articles whiche shoulde have byne sent with
the same: We have conferred with the *Scotishe* Commis-
sioners aparte, accordinge to the Contynence of her Majestys
said Letters. And the Erle of *Murray* and his Colleagues
have agreed to send forthewith to her Majestie the Laird of
Lethington, and Mr. *James McGill*. And the Erle of *Mur-*
ray alleaginge that they might percase have some Occasion
to send againe to him, before they coulde resolve with her
Majestie upon some things whiche may come in Question,
which as he said, woulde be a Delaye and Tracte of Time,
shewed himself therefore right willinge to have come him-
self, saiyinge, he had liver goe with the first then have Oc-
casion to come at the last, so as if her Majesties Pleasure
shalbe to have him come thither, we see that he will not
be unwillinge to accomplishe the same. The other Com-

missioners for the Q. of *Scottes*, upon our Conference with them are all departed hence this Daie to *Bolton* to know her Pleasure in that Parte. And as they seme to put no Doubtes but that she will direct some of them from thence to the Queens Majestie, so they thinke the Lord *Boyde*, the Lord *Herrys*, and the Abbot of *Kylwynninge*, shalbe the Men which shall come, whereof they have promised to advertise us to Morrowe. And upon Knowledge of the same; I Sir *Raffe Sadlier* do intend also forthewith to repair thither accordinge to her Majesties Pleasure with as much speade, and makeing as longe Journeys as I can endure. I the Duke of *Norfolk* do intend also forthewith to repaire unto the Borders. And I the Lord President to remaine heare upon my Charge. And thus we byd you most heartely farewell, From *York* the xxth of this *October* 1568.

Your most assured loveinge

Freinds,

T. NORFOLKE.

T. SUSSEX.

R. SADLER.

A Letter

*A Letter by Queen Mary To Queen Elizabeth the
22d of October 1568.*

An Original.

R ICHT Heich Richt Excellent and Michtie Princes
our derrest gud Sister and Cousignes, eftir our most
hertlie Commendations : It is veill knawin to yow
the inobedience of certaine our Subjectis agains Us, and we
being maist assurit of your tender Luffe and Ayde was movit
to cum in this zour Realme, to lament our Caus and haif
zour Support, haifing gud Experience of the greit Care and
Sollicitude taikin be zow for our Honour and Caus, Quhair-
throw ze haif addettit ws unto zou, desyring God we may
acquyt the samyn : Not doubting in him be zour gud help
now to haif the moyen swa to do : We haif (as ze thocht
good) causit certane of our Counsaile repair at *Zork* to the
Lordis zour Commissioners, and haifing declarit unto thame
in our behalf ane Part of the Wrangis quhilk we haif suste-
nit, and upon thair inventit Answer gaif ane trew Decla-
ratioun, quhilk we beleif ar cum in zour Handis. We un-
derstand it is zour Pleasour ane Part of thame fall repair to
zow quhairof we ar richt glaid : Assurand our self it is now
in the Handis of the Warld whair we maist desyrit. And
sen ze gud Sister knawis our Caus best, we doubt not to

refaiff presentlie gud End thairof: Quhairthrow we may be perpetually addettit unto zow, and for satisfeing zour Desyre in our behalf gif forder Declaratioun fall neid, we haif send our trustie Counsalouris, The Bishop of *Ross* and my Lord *Hereis*, to await upone zour Pleasour and Commandiment, and albeit derrest Sister we be heir weill treatit, zitt in Consideratioun of the greit Inquyetnes throw our haill Realme, be the unnaturale Behaviour and Inobedience of our Subjectis, we will pray zow maist effectuiſlie, that we may know zour gud Pleasor in ending thir our long Trublis. And swa Richt Heich, Richt Excellent and Michtie Princes ou_r derrest Sister and Conſignes, we pray God to send zow long and prosperous Lyffe. At *Bowtoun* the xxii^d of *October* 1568.

Zour Richt gud Sister and Conſignes,

MARIE. R.

The Conferences being removed from York,

Follow

The

THE
C O N F E R E N C E S

AT

Westminster and Hampton-Court.

COMMISSION *by the Queen of England To
the Lord Keeper, the Duke of Norfolk and others,
to treat with the Commissioners of Scotland.*

A Copy.

ELIZABETH by the Grace of God Queene of *Eng:
land, France, and Ireland*, Defender of the Faith,
&c. To all manner of Persons to whose Knowledge
theis Presents shall come greeting. Whereas heretofore upon
fundry Requests unto us by our good Sister and Couzine
Marie the Queene of *Scotts*, we did make constitute and
ordeine by our Lettres Patents, under our Great Seale
of *England*, bearing Date the 20th Day of *September* last,
Our Right Trustie and Right entierly beloved Cousine and
Counsaylor *Thomas Duke of Norfolk*, and our Right Truf-

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tic

tie and Right wellbeloved Cousine and Counsaylor *Thomas* Earle of *Suffex*, and our Trustie and Right wellbeloved Counsaylor Sir *Ralph Sadler* Knight, to be our Commisfioners and Deputies speciall, with Authoritie to common, treat, and conclude with our said Sister or her Commisfioners, and also with *James* Erle of *Murray* and others coming with him, in the Name of the Prince Sonne of our said Sister, howsoever he should be named Kinge or Prince of *Scotlande*, upon all Manner of Controversies, Matters, and Debates betwixt the said Queene, and any other Person of the Realme of *Scotland* adheareinge to her said Sonne, and upon sondry other several Matters, as at more large are conteyned and may appeare in our said Commission. We understanding and well perceaveing that our said Commisfioners have already entred into Treaty with the Commisfioners of the said Queene, and also with the said Erle of *Murray* and others joyned with him at our Citty of *York*, and finding that the Causes and Matters deduced upon the said Treatye there begun, be of that Nature and Moment as that they cannot conveniently, reasonably, and speedely be farther deduced to good and certane End, without frequent Aunsweres and Resolutions to be had from us, beinge here in Place farre distant from our said Citty of *York*, wherby much Tyme should be spent, and the Matters not so certainly resolved : And knoweing also the former Desire of our said Sister to have her Causes heard and treated upon,

upon, either by our owne self, or as neere to our Presence as might conveniently be: For Satisfaction of her Desire therein, and to thintent her said Causes might be boeth favourably, spedely, and resolutely heard, ordered, and determined according to the Sinceritye, Truthe, and Justice thereof; Upon good Advise and Deliberacion, we have made, constituted, nominated, and ordeyned, And by theis Presents do make, constitute, nominate, and ordeyne our Trustie and wellbeloved Counsaylor Sir *Nicholas Bacon* Knight Keeper of our Great Seal of *Englande*, our Right Trustie and Right entierly beloved Cozen and Counsaylor *Thomas* Duke of *Norfolk* Earle *Marshall* of our Realme of *Englande*, and our Right Trustie and Right wellbeloved Cozens and Counsaylors *Henry* Earle of *Arundell*, *Thomas* Earle of *Suffex*, and *Robert* Earle of *Leycester*, and our Trustie and wellbeloved Counsaylor *Edward* Lord *Clinton* and *Saye* our Admirall, and our Trustie and Right wellbeloved Counsaylors Sir *William Cecill* Knight our principall Secretary, and Sir *Ralph Sadler* Knight Chancellor of our Duchie of *Lancaster*, our Commissioners and speciall Deputyes, giveinge, grawntinge, and committing to them eight, seaven, or fixe of them, full Power, Authoritie, expres Chardge and Comandement generall and speciall, for us and in our Name to heare, commun, treate, order, and conclude at our Cittye of *Westminster* nere *London*, or any other Place nere our said Cittye of *London*, or elsewhere, in any Place in our Realme of

England, with the Commissioners and Deputies of our said Sister and Queene of *Scotts*, and also with the said Earle of *Murray* and all others authoris'd with him in Commission by and in the name of the said Prince of *Scotts*, (beinge named or intituled Kinge or Prince of *Scotland*,) upon all manner of Hostilities, Differences, Questions, Matters, Complaints, Debates, and Contentions of what nature soever the same be, have bene or shalbe, betwixt the said Queene and any of the Subjects of the Realme of *Scotland* on the one Parte, and the said Earle of *Murray*, or any other Person or Persons adheareinge to the said Prince her Sonne on the other Parte: And also upon any other Cause or Matter dependinge undecided and not ended fully betwixt our said Sister and us, or betwixt any of our Subjects on eyther Parte, or for the further Confirmation, Reformation, or Augmentation of any Treatye of Peace heretofore intended, made, or concluded, or for the contractinge or establishing of any newe Treatye, and Confederacion for increase of Amitye, Peace, and Concord, not onely betwixt our said Sister and us, but betwixt our Realmes People and Subjects: And generally to doe and conclude all things which shall seme mete and necessary for the Premisses, for or any Parte thereof; promiseinge in the Faith and Word of a Queene, that we will confirme, ratifie, and allowe all and singular things which shalbe concluded, enacted, and capitulated by our said Commissioners. In Witnes whereof to theis our Let-

ters Patents, signed with our owne Hand, we have caused to be set our Great Seale of *England*. Given at our Honour of *Hampton-Courte* the Day of *November* 1568. in the 11th Yere of our Raigne.

The Journal or first Session of the Commissioners upon the 25th Day of *November* 1568.

INTITLED

A Memorial of thinges passed this Present Day (Thursday November 25th 1568.) in the Greate Chamber, anciently called Camera Depicta, next uppon the Northside to the Parliament Chamber Westminster.

THE Quenes Majesties Commissioners, that is to say, Sir *Nicholas Bacon* Knight Lord Keeper of the Greate Seale of *England*, *Thomas* Duke of *Norfolk* Erle *Marshall* of *England*, *Thomas* Erle of *Suffex*, *Robert* Erle of *Leycester*, *Edward* Lord *Clynton* and *Saye*, &c. Sir *William Cecill* Knight, &c. and Sir *Ralphe Sadler* Knight, &c. beinge assembled as her Majesties Commissioners and Counsayllors, and sittinge in the said Chamber
at

at a longe Table, beinge a Table of Counſel, declarid to *John* Biſhop of *Roffe*, *Robert* Lord *Boyd*, *John* Lord *Herries*, and *Gawin* Commendator of *Kylwynninge*, being ſent by the Quene of *Scots* to the Queenes Maieſtie, and preſently ſittinge at the ſame Table, That her Maieſtie had given them Commiſſion to treat with the ſaid Biſhop of *Roffe* and the other Perſons, So being ſent by the ſaid Quene of *Scots*, upon ſuch Differences as wear betwixt her on the one Parte, and the Erle of *Murray* and others with him on the behalf of the ſaid Quenes Sonne on the other Parte: Which Commiſſion the ſaid Lord Keeper did there ſhewe furth in Wrytinge, ſubſcribed by her Maieſtie, and ſealed with the Greit Seal of *England* in Grene Waxe, bearing Date the 24th of this preſent Moneth of *November*; which Commiſſion was redd in Preſence and Hearinge of the ſaid Lords of *Scotland*, as the Tenor hereof enſueth *Elizabeth*, &c. *As in the Commiſſion immediatly preceeding.*

WHICH beinge done the ſaid Biſhop of *Roffe*, and the others with him in the behalf of the ſaid Quene of *Scots*, beinge demanded howe they did allowe therof, and what Commiſſion they had, anſweared, that they did well lyke and approve the ſaid Commiſſion, and produced furth a Commiſſion written in Parchment, and ſigned by the ſaid Q. of *Scots*, and ſealed with her Signet, bearing Date the penult Day of *September* laſt, in Form following: *Mary* by the Grace, &c. *as in her Commiſſion produced at York*, and printed in this Vol. p. 33.

Which

Which Commission being also redd the said Bishop of *Rosse* alleged, that the Cause why the said Commission was sealed only with hir Signet, was for that she lacked a Greit Seale since her Ejection from her Crowne. And after that he requyred before any Treatye should be entred by virtue of thafforesaid Commission He and his Collegues might first make a Protestacion, which he having redy in Writing did produce, reade, and afterward subscribed the same, the Tenor wherof followeth; *The Protestation made by, &c.*

The Protestation maid be the Quenis Majesties Commissioners of Scotland, at Westminster the 25th Day of November the Year of God 1568 Yeirs.

An Original.

THE Commissioners for the Quenis Highnes of *Scotland*, adheirand to thair formair Protestation made at *York*, declarit in Presens of the Quenis Majesties Commissioners of *England* before thai enterit in Conference. That althocht the Quenis Highnes thair Soveraine be best contentit, That hir Causes presentlie distant betwixt her Gra: and her disobedient Subjectis, be considerit and dressit to her Graces Honour and Weill, be the Advyse of her derrest Sister and Cousignes the Queine, Majestie of *England*, or her Graces Commissioners authorised thairto before all
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others,

others, yet nevertheless thai solemnlie protestit, Thair Consent in na wyis to enter in sik sort, that thair Sovereignis Causis in this Conference shall be treated in Forme of Judgment, or in judicial Place, conform to the Quenis Majestie of *Englandis* Mynd declarit by her Highnes Letter to thair said Soveraine; nor yet will admit any Juge or Juges thairto, In respect she is ane frie Princes with ane Imperiall Crown gevin hir of God; bot are content to confer, treat, and conclude in sike thingis as ar conteyned in thair Commission with the Quenis Majesties Commissioners of *England*, without Prejudice of the Queine thair Soveraignes most Royall Person, Crowne, Estait, and Honor, and desyres the same to be admitted and insert in the Conference quhilk thai are to make with the saids Quenis Highnes Commissioners and sliicklyke in any Indent or Appunctment quhilk fall happin to be aggreit and concludit upon betwyxt thame.

JO. ROSSEN. HERRYS.

BOYD. KILWYNING.

AETER which done the said Commissioners of the said Quene of *Scotts* withdrewe themselves from that Place into an inner litle Chamber, and thErle of *Murray*, thErle of *Morton*, the Bishop of *Orkney*, the Commendator of *Dunfermlin* and the Lord *Lindsay* Commissioners in the name of the Sone of the said Quene of *Scotts*, entituled by them *James* Kinge

Kinge of *Scotland*, came into the same gret Chamber, and were in like manner as the others informed by the said Lord Keeper of the Commission graunted by the Queenes Majestie unto him and his Colleagues of the Tenor above mentioned: Which being also redd to the said Erle of *Murray* and his Colleagues, was by them allowed and accepted, and a Commission sealed with the Greite Seale of *Scotland* in Yellowe Wax, in the Name of *James* Kinge of *Scotts*, was by them produced and redd before the Quenes Majesties Commissioners, the Tenor wherof followeth, *James, &c. The same with that which was before exhibited at York;* printed in this Vol. p. 35.

AFTER this done thafforesaid Bishop of *Rosse* and his Colleagues were called before the Quenes Majesties foresaid Commissioners, where in Presence boeth of the said Bishop and his Colleagues, and also of the said Erle of *Murray* and his Colleagues, the Lord Keeper of the Greate Seale in the Name of the rest declared to them the Quenes Majesties Sinceritie and good Meaninge for the Treatie hereof, havinge straightly charged them her Commissioners in this weightie Cause, to deall plainely, sincerelie, uprightlie and directly: Which chardge they meant to their uttermost to observe and kepe. And therefore wheras the Duke of *Norfolk*, thErle of *Suffex*, and Sir *Ralphe Sadler*, which being now hir Majesties Commissioners (as before also they were her

Commissioners at *York*) did take a Corporal Oath to execute their Commission sincerely and truly; And in like Manner the said Commissioners boeth on the Parte of the Q. of *Scotts*, and of her Sonne entituled the King of *Scotts*, did also take their severall Corporall Othes at the same Cittie of *York* for Execution of their Commissions; so as it was thought mete that the like Othes should be upon all three Parts now taken and yieldid: To which Motioun the Quene of *Scots* Commissioners required License of Advice; and so after they had withdrawen themselves a small while they returned, saieng, that before they shold gave their Othes (which they did not any wise mislike to take) they wold gladly have aunswear to their Protestacioun. Whereupon thErle of *Murray* and his Colleagues withdrawing themselves after some debating, The Quenes Majesties Commissioners conceived in Writing, which they did also cause to be read and delivered unto them, this manner of Protestacion following, *We the Commissioners, &c. of the same Tenor with the like Protestation made by the Queen of England's Commissioners at York*; printed in this Vol. p. 50.

AFTER which being by them allowed, it was accorded on boeth Parts, that the like Othe to all Purposes shold be taken and made, as were made at *York*, and therupon one——
Parkins the Chiefe Prebendary of the Cathedral Church of *Westminster*, being called therto, and holdinge the Book of
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the Newe Testament in his Hand, the said Lord Keeper, Duke of *Norfolk*, thErles of *Suffex*, and *Leycester*, the Lord *Clinton*, Sir *William Cecil*, and Sir *Ralphe Sadler*, layeing their Hands upon the said Book made the Othe as followeth, *You shal sweare, &c. The same with the Oath taken at York by the Commissioners of the Queen of England*; printed in this Vol. p. 36. And afterward the said Bishop of *Rosse* and his Colleagues Commissioners of the said Quene of *Scots*, offered themselves to take their Othe, and willinglie layeing their Handes upon the said Booke, beinge in the Hands of the said Prebendary, made their Oath as follows. *The same with the Oath taken by them at York, with the Names of the Persons added in the new Commission granted by the Queen of England*; printed in this Vol. p. 50.

AFTER which Othes so made the said Bishop and his Colleagues beinge by the Queenes Majesties Commissioners demanded, whether they meant to persist and avowe their former Writings delivered by them at *York*: Whcrof the one was ane Accusacion of *James Erle of Murray*, and divers others of the Nobilitie of *Scotland*, for misusinge themselves towards the Quene of *Scots*. The other was entituled, *A Replication exhibited by the same Commissioners to the Aunswere made by thErle of Murray and his Colleagues*. The said Bishop and his Colleagues aunswered, That they weare verie well content to acknowledge all manner of Writ-

ings, and specially those two abovementioned to be their owne Acts, and that they weare ready to recognise the same againe at this same Tyme. Whereupon they having the said two severall Wrytings shewed unto them and signed with theyr owne proper Hands, They peruseinge the same, did delyver and present the same Writings to the Quenes Majesties Commissioners as their owne Acts, affyrminge all thinges in the same to be true ; requyringe her Majesties Commissioners so to accept the same, together with the Protestaciounes by them made aswell at *York*, as the other abovementioned made this present Daye ; The Tenor of which two special Writings followe in this Manner, that is to saye, first, the Accusation, and in the proper Place after, the Replicacioun also. *These two Papers are printed in this Volume, pag. 52. and p. 80.*

AND after this, the said Bishop and his Colleagues being departed, the said Erle of *Murray* and his Colleagues being lykwise called, and moved to take theyr Othe in lyke manner as they had done before at *York*, were well content, and so laying their Hands upon the said Newe Testament, beinge holden by thafforesaid Prebendary made theyr Othe, the Tenor wherof followeth in this Manner, *Ye shal swear that &c. The same with that taken by them at York (only the Persons Names added in the Queen of Englands new Commission are inserted in this their Oath)* printed in this Vol. p. 39.

AFTER

AFTER which, upon lyke Mocion made to them as was before to the other Commissioners, they did willingly acknowledge a certain Writinge shewed to them and signed with theyr own Hands, entituled, *The Aunswere of James Erle of Murray, &c.* to be their owne Act, and so they did present the same to the Quenes Majesties Commissioners, according to the Tenor hereafter followeing, *The Answer of James Erle of Murray, &c.* And after this hereafter followeth, the Replication of the Quenes of *Scottes* Commissioners, begining *The Replye, &c.* *The said Answer is printed in this Vol. p. 64.*

Answers by the Commissioners of the Queen of England, To the Demands or Articles which were exhibited by the Earl of Murray at York, the 9th Day of October 1568.

Corrected and Interlined in several Places with Secretary Cecil's Hand.

26. November 1568.

THE Quens Majestie having report made to her of four Articles, being in Forme of Questions, which the Erle of *Murray* and his Colleagues produced at *York*, and required Answer therto, hath willed us her Majesties Commissioners to declare to them, That considering her Majestie hath appointed the Hearing of the whole Cause, betwixt

betwixt the Quene of *Scotts* and them by her Commission, to us of special Trust of faithfulness and uprightnes directed, and that we have taken our corporall Oathes, to do therein sincerely and uprightly, there needeth not upon the Matters considered any further Answer to the said Articles, But to assure them, that hir Majestie will herein, upon the Hearing and Determination of the same, cause do or cause be done, that which shal be agreeable to the Honor of Almighty God, and to the Maintenance of the Innocent, and Reproof of the Guilty; with which Answer hir Majestie trusteth they will be content.

AND if this Manner of Answer shall not content them, But that they will persist in Request to have further particular Answer, her Majestie then would have them to understand, that though she shall Answer the same according to the Sincerity of her good Meaning and Intention, yet she meaneth not nor will, that any Person do thereof interpret, that thereby the said Erle of *Murray* or any with him, should be boldened, moved, or any wise comforted to enter into Accusation of the said Quene, for any Crime or Suspicion of Crime; for that hir Majestie principally wisheth, that upon the Hearing of this great Cause, The Honour and Estate of the said Quene of *Scots* were preserved, and found sincerely sound, whole and firme; And thereupon with this Meaning and no other, hir Majestie is contented

tented that the said Articles shal be answered, as hereafter followeth; if otherwise the former general Answer shall not satisfy them.

I. ARTICLE or Question. “ We desire to be resolved whether ye have Commission and sufficient Auctoritie from the Queens Majestie of *England*, to pronounce in the Cause of the Murther guilty or not guilty according to the Merits of the Cause, and as ye shall see Matter deduced before you?

TH'ANSWER. We have such Authoritie to procede herein, upon the Matters deduced before us, as by our Commission may appear unto you.

II. ARTICLE or Question. “ Next having sufficient Commission, whether ye mean and will promise us to pronounce according thereunto, and without further Delay the Matter being first deduced?

TH'ANSWER. We will certainly report to the Queens Majestie, that which we fall in our Consciences according to our Othes find to be true, and her Majestie will also pronounce and notify that which to her shall appear in this Cause to be true, without any further unnecessary Delay.

III. ARTICLE or Question. “ In case she be found guilty, we desire to be resolved beforehand for our Sureties, whether
“ then

“ ther the Quene our Sovereignes Mother shall be deliverit
 “ in our Handes, or sic order put to hir Person within the
 “ Realme of *England*, as the King and we shal be assurit
 “ to be sauf from all Danger, that may ensue upon hir Li-
 “ berty in Time coming ?

TH'ANSWER. If the Quene of *Scots* sal be justly proved
 and found guilty of the Murder of her Husband, which were
 much to be lamented, she sal be ether deliverid into your
 Hands, upon good and sufficient Sureties and Assurances for
 the Safety of her Life and good Usage of her; or else she
 shall continew kept in *England* upon the reasonable Charges
 of the Crown of *Scotland*, in such sort as nether the Prince
 hir Son, nor you the Erle of *Murray*, nor any other for
 holding part or maintaining the said Prince, shall be in any
 Danger by her Liberty.

IV. ARTICLE or Question. “ In case she be found gilty,
 “ we desire to be resolved, gif your Grace and Lordships
 “ upon the Q. Majestie of *Englandis* behalfe, will allow our
 “ Proceedings in Tymes past, as als wa hir Majestie will from
 “ this furth mayntein the Authority of the King our So-
 “ verayn Lord, and the Regiment of his Realme and Leiges
 “ established in the Person of me the Erle of *Murray*, dur-
 “ ing his Minority, according to the Act of Parliament
 “ past in *Scotland* thereupon?

TH'ANSWER. If she be proved and found guilty of the Murder which as is aforesaid were to be lamented, the Q. Majestie will allow the proceedings of you and others the Lords of *Scotland* for the Tymes past, as far furth as shall or may be proved to have bene lesfull by the former Lawes of *Scotland*, being in force before your Attempts. And for the Tyme to come, her Majestie according to the said Lawes of *Scotland*, and in respect of the Dimission of the Crown made by her to the said Prince her Son, if the same may be provin, will maintain the Authority of the same Prince to be the King, and the Regiment of the said Realme now being in the Possession of you the Erle of *Murray*, untill it shall and may be also duely proved by the Lawes of the said Realme, that any other Person of that Realme ought by right to be Regent or Governour of the same, or that any other Forme of Government ought to be there used and allowed; saving that hir Majestie means not by any thing in these Answers, to maynteyn or save harmles, any Person now adhering to the Prince of *Scotland*, or to any other Party that shal be proved to have ben in any Manner guilty of the Death of the said Quenes Husband, But rather to give Aid and Assistance to the due Punishment of the same.

Note, That at the delivering of these Answers by the Commissioners of the Queen of *England* to the Earl of *Murray* and his Colleagues, Sir *Nicolas Bacon* then Lord Keeper made a Speech to them, almost in the very Words of the Answers.

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The

The Journal or second Session of the
Commissioners,

ENTITLED,

*The Act or Session in the foresaid Place on Friday
26. Novembris 1568.*

THE Quenes Majesties Commissioners which were here yesterday, came all hither this *Friday* in the Forenone; Before whome came thErle of *Murray* and his Colleagues, and being required what they had to say, They required that before they should enter into any further Matter for aunswereinge further to such Matters wherewith they were charged by the Writinge of their Adversaries, entitled, *A Replication*, &c. that they might deliver a Protestacion in Writinge subscribed with their Hands, and that the same might be heard and considered by the Quenes Majesties Commissioners before they shall proceed any further in this Cause; and so the same was redd and heard, and thereupon they also requyred it might be inserted amongst the Acts of this Session, the Tenor wherof is as followeth,
Albeit our kail Proceedings, &c.

Protestation

*Protestation by the Earle of Murray and his Col-
leagues, when they exhibited their Accusation
against Q. Mary.*

An Original.

ALBEIT our haill Proceedings from the Beginning of our interprise directed only for Punishment of the Kingis Murther, and be just Execution therof to dryve the Sklander of that abominable Faet from the haill Nation, upon the Heades of a few according to there Deserts, may serve for a sufficient Testimony to the Warld, how unwilling we have alwise been to twiche the King our Sovereigne Lordis Moder in Honour, or to publish unto Straingers Materis tending to her perpetual Infamy, yet shall it not be amiss upon this present Occasion to twiche briefly, what has bene and yet is our Meanyng thairin; Sic was our Devotion towards her alswell by private Affection whereby ever ane of us was led to wishe her weill, As also for publick Respectis, That rather then we wold spott her Honestie with the Societic of that detestable Murder, we were content to wink at the shrewd Reportis of the Warld, quha not being privy to the Groundis quhairupon our Actions were foundat, and swa for lake of Information misconstruing our Doings, blaisouned us as Traitoris and Rebellis to our native Prince,

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In whais Persoun we had putt Handis without ony deserving. Yt had bene easy for us to have wyped away thir and the like Objectionis with a few Wordis, gif we wald have uttered matter quhilk we kept in store for the later Cast: But so desirous were we to cover her Shame, That we were content to bear a Part of her Burding, suffering the Warld to live still in doubt of the Justice of our Quarrell, and consequentlie to speke every ane as there Affectionis were inclyned, sa far furth, that when we were preassit be the Quenes Majestie of *England*, and King of *Frances* Ambassadors, to gif a Reason why we detenit the Quene in *Lochlevin*, we nevir came further for Answer to thaime, bot onlie her Affection was so excessive towards *Bothuile* chiefe Author and Executor of the Murther: That she being at Libertie, it wold not be possible to punish him, and therefore it behovit us for a Season to sequestrat hir Persoun till he might be aprehendit. In what Danger this dealing was like to cast us is mair then Evident, Quhair as we culde luke for nathing bot plaine Hostility from *France*, and the Quenes Majestie of *Englandis* Mynd was there alienated from Us for lake of due Information, and by Reason of our Silence kepand back the chieft Causes of our Emotion, quhilk being hid from her Highnes, and not uttered to the World; It wes to be feared she wold call the Justice of our Cause in doubt: And so gif she should disallow of our Doings, we were left destitute of her Majesties Ayde, at quhais

Handis

Handis we principallie loukit to resseave Comfort in all Tymcs of Daunger ; Being the Prince of Christiandom, quha hes greatest Interest to prosequute the Punishment of that Murther : In sa far as the King in quhais Persoune it was perpetrated had that Honor to be so nere of hir Majesties Blood ; Besides that he was borne her Subject, quhairby be Gods Ordinance she is bound to crave his Blude out of the Handes of the Murtharars. In the same Moderation we culde still be contente to conteine our selves, gif the Continouance of *Scotland* in the State of a Kingdom, and the Profession of the true Religion wolde permitt it, for we remember quhat Person she is quhome this Matter chiefly tuiches, The Moder of the King our Sovereigne, and to quhom in particular the maist Part of us are bound for Benefites ressavit at her Handes ; and thairfor cannot bot privatelie bear hir guidwill, yea sa far, gif that with the perpetual Exile of any ane of us, or yit of a furth of our native Countrie, we might redeme hir Honour without Danger of the King our Sovereign's Persoun and haill State, we wolde willingly banishe our self to that End. And therefore before we enter farther in the Ground of this Matter which to this Hour we have fled, we protest solennitlie, That we have na delyte to see hir dishonored ; And that we cume not willingly to hir Accusation of so odious a Cryme : But that we are thairto enforced be her awin preassing and our Adversaires, quha will not content themselves with our former Answer, quhilkis
they

they know to be true: But for defence of our awin just Cause compells us to utter that most odious Matter; protesting also, That quhatsoever fall follow thairupon be not imputed to us heirefter, but rather to our said Adversaries, In quhais default hir Shame salbe disclosed; quhairby thay sufficientlie declare how litle thay cair quhat becum of hir, howsoever they gife thamselvis out to the Warld to be of hir Party for preassing us to cum to that Answer, quhilk they know we hafe just Cause to mak and will mak in the End: And sua to produce sic Evidentis as they know we hafe, It is indirectly to preasse earnestly her perpetual Infamy: Quhair of as of before we protest, That they and not we be esteemed the chiefe Procurers.

At Westminster xxvi.
Novembris 1568.

JAMES REGENT.	MORTOUN.
PATRICK	AD. ORCHAD.
L. LYNDSAY.	DUNFERMLING.

AND after this they also produced another Writinge, which they said they were most loth to exhibite, as by the Contents of thair Protestacion might be considered; Wherunto they did referre themselves: The said Writinge was subscribed by the said Commissioners in the Presence of the Queen's Majesties Commissioners, and is intituled, *Ane Eik to the Answer, &c.* wherof the Tenor in this Sort followeth, *An Eike, &c.*

The

The Accufation againſt Q. Mary,

INTITLED,

Ane Eik to the Answer presentit by Us James Erle of Murray and Regent of the Realme of Scotland, and Remnant Commissioners appointed for the Kings Majestie of Scotland our Soveraine Lord in his Highnes behalfe: And for our Selfis and Remnant States and People, his Majesties faithfull and obedient Subjectis, To the Letter presentit To your Grace and the Lordis Commissioners for the Q. Majestie of England at York, On the behalfe of the Queen Moder to our said Soveraign Lord. Presentit the 26th November 1568.

An Original.

WHEREAS in our former, upon good Respects mentionat in our Protestation, we keipit back the chiefest Causes and Grundis quhairupon our Actiouns and haille Proceedings were fundit, quhairwithall se-
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ing our Adversaries will not content thameselfis ; But by thair obstinat and earnest preassing we are compellit for justifying of our Cause to manifest the nakit Trewth. It is certaine, and we bauldlie and constantlie affirme, That as *James* sumtyme Erle *Bothwile* wes the chiefe Executor of the horrible and unworthy Murther, perpetrat in the Person of umquhile King *Henry* of gude Memory Fader to our Soveraine Lord, and the Quenis lauchful Husband ; Sa was she of the Foreknowledge, Counsel, Devise, Perswader, and Commander of the said Murder to be done, Mantenar and Fortefiar of the Executors thair of, be impeding and stopping of the Inquisitionne and Punishment due for the same according to the Lawes of the Realme, and consequentlie be Marriage with the said *James* sumtyme Erl *Boithwile* delatit and universally estimed chiefe Author of the abovenamit Murdir. Quhairthrow they begouth to use and exerce ane uncouth and cruel Tirrany in the haill State of the Commonwelth, and with the first (as weill appeir by thair Proceedingis) intendit to cause the innocent Prince now our Soveraigne Lord schortlie follow his Fadir, And sua to transfer the Crown fra the richt Lyne to a bludy Murtherar and Godles Tyrant. In quhilk Respect the Estates of the Realme of *Scotland* finding hir unworthie to Regiment, decernit hir Dimission of the Crown with the Coronation of our Soveraine Lord, and establisshing of the Regiment of that Realme in the Persoun of me the Erle of *Murray* during his Highnes Minority, to be lawfullie,

I
sufficientlie

sufficientlie, and richtuusslie done, as in the Actis and Lawis
maid thairupon mair largelie is contenit.

JAMES REGENT.	MORTOUN.
PATRICK	AD. ORCHAD.
L. LYND SAY.	DUNFERMLING.

AFTER which the Quenes Majesties Commissioners de-
parted from the said Chamber to theyr Lodgings.

The Journal or third Session of the Com- missioners,

Die Lunæ (Munday) 29. Novembris 1568.

THIS present 29. at on of the Clock in the Afternoone,
the Q. Majestys Commissioners sytting in theyr ac-
customid Place, having with them Therle of *Mur-*
ray, and his Colleagues, required of them whither they wold
have the Wryting last aforementioned, named, *An Eik to theyr*
former Answer, to be delivered to the Bishop of *Rosse* and
his Colleagues without any furdre matter; who answeairid, that
they wear well content that it shuld be deliverid, requyring
R that

that if theyr Adversaryis wold deny the same, They might be called to make their Proofes therof, which they had in readynes whensoever the same shuld be requyred: and so after the sayd Erle and his Colleagues wer departid, Therle of *Lennox* Father to the Quenes Husband that was murdred, cam to the said Commissioners, and after lamentable Declaration made of his naturall Grefe, wherewith he had bene long tormentid for the horrible Murdre of his Sonne; He alledged, That he had no Refuge to have any Justice, but at the Hand of God, and that by Menes of the Quenes most excellent Majestie, whose naturall borne Subject his Sonne was, and next under hir Majesty by the Help of their Lordships, whom her Majestie had authorised to heare this Cause, and for that Purpose he was come thither as an humble Sutor: And not being able to expresse his Cause in convenient Wordes, he had put in Wryting brefely and rudely some Parte of such Matter as he had conceaived to be true; For the charging the Q. of *Scotts* with the Murdre of her Husband his Sonne, which Wryting being conteined in three Sheets of Paper with certain Lettres also, wherby he said might appeere som furdre Prooffe of things alledged in his Wryting, he exhibited upon his Corporall Othe: Of which Letteres, being in Nombre fowr, ther was two wrytten to the Q. of *Scotts*, and other two written from her in Answear therof, both which Wrytinges and Lettres heerafter followe; *A Discourse of the Usage, &c.* AFTER

AFTER this don about the Howre of three the same Afternoone cam to the said Commissioners the foresaid Bishop of *Rosse* and his Collegues, To whom it was declarid That wher at *York* they had exhibited in Wryting, Accusacion of the said Erle of *Murray* and others, wherunto Answer was made by the said Erle at the same Tyme, and in the end ther was one Clause in Manner of a Reservacion of a Powre for them to add therto, To which Answer the said Bishop and his Collegues had exhibited a Replicacion: Now the said Erle and his Collegues for furdre Answer have exhibited a Wryting subscribed with theyr Handes, named by them *An Eik to their former Answer*, which they have deliverid after a Protestacion, first maid of theyr great Greefe in being therto compellid by theyr Adversaries, which Wryting named *An Eik*, was shewid to the Bishop and his Collegues, offring to them the Liberty to doo what they shuld think fitt herin; whereupon they receaving a true Copie therof, withdrew themselves into an other Chambre, and after resonable Tyme they retourned, saying, That they had perused it and found it very strange, and as a Thing unlooked for, that the other Partie wold putt in Wryting any such Mater with such boldnes and in such sorte, specially considering the Q. theyr Soverayn had so much benefitid the gretest Nombre of them, and howsoever they did in theyr Wryting charge the Q. theyr Sou-

verayn, They for theyr Parts wold as boldly defend her; adding in the End, That howsoever the Nature of that Cause was, yet it becomid not them as Subjects to touch her in this Manner. After which Speches usid, they requyrid not to have the same taken now for theyr Answear, For that the Mater was of great waight, and requyrid some furdre Tyme of Advise; wherein they wear offrid to take what Tyme they pleasid, and so they offrid to return to Morrow in the Afternoone with Answear to the same Place, and so departid.

Journal of the Commissioners,

Die Martis (Tuesday) 30. Novembris 1568.

THIS Day about twelve of the Clock at Dynnar Tyme, The Bishop of *Ross* and his Colleagues sent on *Borthyck* to the Q. Majestys Commissioners being at the Starr Chamber, requyring Licenss to spare them for comming this Afternoone accordyng to theyr Appoyntment, offrying to come to Morrow in the Mornyng by nine of the Clooke, which was redely allowed.

Journal of the Commissioners,

1^{mo} Decembris 1568.

THIS Day at nine of the Clook, The Erle of *Arundell* being the thyrd Person in Commission, havynge bene letted by Siknes untill this Tyme, came to the Councell Chamber, where the rest of the Commissioners were; To whom was declared summarely all the wholle Proceedings, as well in the Commission at *York* as in this also: And for his more particuler Information the Copies of the Accusation, The Answear, The Replication, and the last Protestation and Addition made by the Erle of *Murray* and his Colleagues having bein shewed to him, His Lordship did the better understand this Manner of summary Declaration by Word of Mouth; and amongst other thinges Mention being made to him, How the Commissioners on all three Parts had taken their Othes for their upright Proceeding herin, his Lordship having understoode by Sight in Wryting what was conteyned in the Othe, sayd, He was content to take the like Othe if it were offered him, and so laying his Hand upon the New Testament, The lyke Othe being redd unto him, as was at the first Begynning to others of his Colleagues, he toke it.

AFTER this immediatly the Bishop of *Rosse* and the rest came to the Commissioners, and sate downe at the Counsell Table; where the Bishop of *Rosse* sayd, They had considered of the Writing called *The Eyk*, and before they wold shew what they thought thereof, It was required, That the Lord *Hereys*, who had ben best acquainted in this Mater from the Begining might be hard to say somewhat, which was granted. And so he began to say: That he having certen things herin to utter, and dowing his Memory, he had made some Notes in Writing of that which he had to say, and so he redd the said Writing; wherein he alledged, That the other Parties had invented this Accusation of the Quene for Mayntennence of their owne Treasons, shewing, That where some of the best of them had receaved great Benefittes of the Q. whilst she was of tender Yeres, and how she had in that Time disposed away so much of the Revenues of hir Crowne as she had diminished two Parts therof, leaving for hir self and her Successor but a third, which she considering when she came to twenty five Yeres of Age, and finding that though she might for hir Lief indure the lack therof in respect of her Dowery in *France*, and other Casualtyes, being no parcell of hir Crown, yet hir Successors shuld not be able so to do, whereupon she made according to thorder of the Lawe Revocation, and these Parties which now accuse hir, fearing that

in Time comming she wold extend the same upon some of them, knew no other way to maynteyne themselves in their Rules and Lyvehoodes, but to invent these kind of Slaunders against their Soveraigne Lady, whom it shuld well appeare, when the Truthe of the Cause shuld be knowen, The world shuld playnly understand to be free from these Slanderous and treasonable Accusations: And therfore the said Lord *Hereys* requiring the Q. Majesties Commissioners, being Men of Honor, and diverse of them of the most ancient and noble Blood of the Realme to suspend their Opinions herein, and to consider how dangerous this Example may be for Subjects to devise false Calumniationes against their Soverayne, and consequently to seeke the Deposition of hir from hir Crowne and State, and to take to themselves singular Rules and Authority for Mayntenance of their own Ambition; and in the End was added, That when the Cause shuld be furder tryed, it wold be proved, That some of them which be now the Accusers were privy to the making of Bandes and Writings for the Conspiracy of the Death of the Lord *Darnley* the Q. Spowse; And so enlarging his Speche with like Matter, He remitted to the Bishop of *Rosse* the furder answering of the Matter for which they came: Who began to declare, That they had considered the Writing which was delivered to them the other Day, wherin they found such weighty and high Matter towching the Honor of the Q. their Soverayne,

Soverayne, as could not procede any further untill they had first spoken with the Q. Majesty ; For so they were of late commanded by the Q. their Soveraigne by special Letters of Instruction, That if the other Party shuld procede in any thing otherways then they had don at *York*, to the Prejudice of her Honor, That then they shuld not procede to answer them : For which Purpose they desired they might have Access to speke with the Q. Majesty : And after a little Pawse, the Bishop sayd, The very Cause why they ment to speke with her Majesty was to declare unto hir Majesty, what Commandment they had receaved from the Q. their Soveraigne to stay herin, and also to require, That for the Answer of these infamous Calumniationes the said Quene might come in proper Person to the Presence of hir Majesty, and there before hir Counsell and Nobility, and such Ambassadors as were here in this Realme for any foreyn Princes, Answer for her self, for Defence of her Innocency ; and in the meane Season, that the other Parties havynge in this Sort accused her, might be here arrested and stayed untill the End of this Cause might be seen what they had deserved. According to which Speche of the Bishop, he produced and shewed furth Lettres signed with the Name of the Q. their Soveraigne dated the 22^d of *November* last past, wherof he redd certen severall Parts agreable with his Speche, and did also shew furth another Wryting in Paper, wherin was conteyned

teyned the Request which they ment to make to hir Majesty agreeable to his former Speche.

Note, The preceding Journals of the Commissioners are corrected and interlined by Secretary Cecil's Hand, and are also indorsed by him, as is the following Paper which was produced by the Bishop of Ross, at the foresaid last Conference.

A Memorial or Letter from the Commissioners of the Queen of Scotts, to the Commissioners of the Queen of England, at Westminster the said 1st of Decr. 1568.

MY LORDES,

WE are hartily fory to hear that our Contrymen shuld intend to colour their most unjust, ingrate, and shamefull Doings (as to the World is patent) against thair natural Soveraigne Leige Ladie and Mistress, that hath ben so beneficiall to them; her Grace hath made the gretest of tham of meane Men, (in thair owne Calling) Earls and Lords, and now without any evil deserving of her G. Parte to any of thame in Dede or Worde, to be thus wise recompensed with calumnious and false invented Brutes, sklandered in so greyt a Matter till hir Reproche wherof they themselves that now pretend herewith to excuse their open Treasons were the first Inventers, Writers with their own Handes of that devilish Band, the Conspiracy of the Slaughter of that innocent young Gentleman *Henry Stewart*, late

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Spouse till our Sovereigne, and presented to their wicked Confederate *James Earl Bothwell*, as was made manifest before ten thousand People at the Execution of certen principall Offenders in *Edinburgh*. Bot seing thai can get no other Excuse to this their treasonable Usurpation and Wrongs, yea such Usurpation and Wrongs, as never have been seen the like, Subjects to have done before; For the first and best of them hath not in Parliament the first Voyce of Eightene of that Realme. No, no, My Lords, This is not the Cause why they have put their Handis in thair Sovereign the anointed of God, most often by his Word expressly prohibited, (a Matter to other Princes richt dangerous, and worthie to be forseen) for if this in thame be tollerat, what Prince lives upon the face of the Yerth that ambitious Subjectis may not invent some Sklander in thair Living, to come to their Supreme Authority? Because zour Wisdoms understand well how farr their doings passeth the Bounds of Subjectis permitted in the Holy and Sacred Scriptures, and loyal Duety in their native Princes; In humane Lawes we will not speke thereof, only will we plainly declare the very Treuth and Cause of their Usurpation. The Queens Highness, our and thair native Soverain being of hir Self (as well is knawn) a liberal Princes, gave thame in her Zouthe for thair unshamefast begging, without other thair worthie deservings, the two part of the Patrimony pertheyning to the Crowne of *Scotland*; and when her G. came to further
Years

Years and more perfect Understanding, seeing, that her Successors Kings of that Realme might not menteyn their Estate upon the third Part, (albeit hir Grace might for hir Tyme, having so great a Dowry of *France* and other Casualties not proper to the Crowne) for their evil Deservings and most proud Contemption, procuring her Slawnder so far as in them was, sleing hir Secretar in hir Presens; causid hir use the Privilege of the Lawes always granted to the Kings of that Realm of before, made Revocation before hir full Age of 25 Zeirs. Thai understanding right well this to be a Waye, when it pleasd her G. or her Successors by the Lawes to take from thame the Livings before given them, and thus wise evill deserved, when they had herin advised with thair Machavellis Doctrine, seing her Son ane Infant not a Yere old, culd find no better Way than to cutt off thair Sovereigne Leige Ladie, (which if it had not ben the Q. Majestie of this Realme her greit Diligence without dowte had ben don) for that they understoode they might long possess these Rooms, or that Infant had Wit or Power to displace them; and in the mean Tyme gate greit Riches under the Colour of a pretended Authoritie. That it was not the Punishment of that Slawghter that moved them to this proude Rebellion, but the usurping of thair Soveraignes Authoritie, and to possess themselves with hir great Riches, and hir true Subjectis. We will baldly avowe and constantly do affirme the same to be, as by the sequell doth and

shall playnly appeare: Thus shalbe knawen the Cause and Ground of thair Mind to the Q. Majestie of this Realme, the Kinges of *France*, *Spayne*, and other Princes. And as the Q. Majestie hath written and said, Her Highness neither culd nor wold be juged in this Cause, considering the Q. our Mistres and her Progenitors hath ben free Princes, nother yet wold her Highness permitt them to come to her Presens, that thus had usid thair native Soverane, so can we not dowte but your right honorable Lordships reporting this to her Majestie, we sall find her of that good Mind and Disposition to our Soverain her Majesties own Blood, that upon the affirmed Promis of Friendship and Assistance betwixt them, of her free Option and voluntary Will is come into this Realme to hir Majestie, suing her Highness help that hir Grace may enjoy hir owne given hir of God, which others have at all Tymes and we of Reason can requyre. Howbeit our Soveraigne had na Tyme to have advysed with her Estates anent hir Causes, nor Leisure herin to indent with the Queens Majestie; But in very simple Manner put hir selfe in her Majesties Hands upon the Promises, trusting only in hir Majesties high Honor, which ever hath ben found to others of farr meaner Degree, that in such Manner hath sought in this Contrey; and at hir Commandment and Promise of Assistance, hath left the seeking of Ayde of any other Princes, having no other but her Majesties high Honor to appeale her Cause unto: And that ye my Lords
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of the noble, ancient, worthy Blood of this Realme, are content to hear and understand this Cause, and that your Honors shuld report the same to your Sovereigne, is our great Comfort to have good Answer, which we humbly require.

The Journal of a Conference at *Hampton-Court* upon the third of *Decr.* 1568. between the Q. of *England* and the Commissioners of the Q. of *Scotland*,

At Hampton-Court Die Veneris (Friday) 3. Decemb.
hora 2^{da} post Meridiem.

Corrected and interlined in several places with Secretary *Cecil's* Hand.

THE Bishop of *Rosse* and his Collegues Commissioners for the Q. of *Scotts* came to the Quenes Majestie, to whom they shewed brefely the Cause of theyr comming to be, to present a Request they had also ready in Wryting signed with their Hands, which they did delyver, the Tenor wherof followeth, Pleise your Majestie albeit, &c. (*This Request is ingrossed in a Writing exhibitea to the Commissioners of the Q. of England upon the 9th Day of December 1568. and will be found in the Journal of that Day.*)

AFTER the Queenes Majestie had red and perused the same, she said that the Matter therein conteyned was of great Waight, and therefore she wold consider of the same with some more Deliberacion, and required them to forbear her untill she wold give them Knowlege to returne for Answer, which shuld be shortly. And so the said Commissioners departid to *Kingston*.

The Journal of the Privy Council of *England.*

Corrected and interlined in several Places with Secretary *Cecil's* Hand.

Die Sabbati (Saturday) 4. *Decemr.* 1568. *hora* 1^{ma}
post Merid.

Present

The QUEENES Majesty

The Lord Keeper	E. <i>Effex</i>	L. Chamberlain
D. of <i>Norfolk</i>	E. <i>Bedford</i>	Sir <i>William Cecil</i>
Marquis*	E. <i>Leycester</i>	Sir <i>Ralph Sadler</i>
Lord Steward †	L. Admyral ‡	Sir <i>Walt. Mildmay.</i>

THE said Bishop and his Collegues, before they came to the Court sent a Message to the E. of *Leicestre* and Sir *William Cecil*, requiring to speake with them twoo aparte, before they should receave any Answer

* *Northampton* Treasurer.

† E. *Pembroke.*

‡ L. *Clinton.*

from the Quenes Majesty to theyr Request deliverid the Day before, which with the Knowlege of her Majestie was to them accordid. And thereupon the said Commissioners came into the Erle of *Leicesters* Chambre, where the said Bishop in the Name of the rest sayd, that before they shuld com to her Majesties Presence, they thought good to propound a Matter to them twae, which was this; That although the Erle of *Murray* and his Complices had deliverid in Wrying a greevous Accusation against the Quene theyr Souverain, and that they weare prohibited to make any furdre Aunswear to any suche Matter, but only to desyre the Q. of *Scotts* might com in Person to the Presence of the Quenes Majestie to make Aunswear therto, as was conteynid in thair Request exhibited Yesterday: Yet they having considerid with themselves their Mistresses Intention to have bene always from the Begynning that these Causes shuld be ended by the Quenes Majestie by som such good Appoyntment betwixt hir and her Subjectes, as might be for her Graces Honour and the Commonweale of the Countrey, with Scurty also to the Erle of *Murray* and his Partie, notwithstanding theyr former Doinges, thought good to declare thus much to the said Erle and Sir *William Cecil*, and to require that this Motion might be signified to her Majestie, and her Pleasure therein knowen, before any Aunswear shuld be given to theyr former Request. For that they said if this Motion shuld not be allowed, nor the Aunswear to be made

made to their Request fall out to theyr Satisfaction, they could proceede no furdre in this Conference. To which Matter so propoundid by the said Bishop the *L. Harris* also addid som furdre Speache, which the said Erle and Sir *William Cecil* finding (as they thought) to differ somewhat from the other, and thereby the Motion seemid to them at the first somewhat doutful and obscure, how they might make due reporte therof to her Majestie, and perceaving also by som Speache of the said *L. Harris*, that they had som Wryting hereof, it was required to see the same in Wryting, only to reade it or heare it read, without caryeng away the same Wryting for the more direct reporte therof. But they answerid, that they had but certain notes therof in Wryting conteynid in a Memorial mixt with other thinges; and so the Bishop repeting the same againe, it was at length conceavid and accordid in effect as above is written. And so being reportid to her Majestie in Presence of her Counsaile, it was concludid by her Majestie that they shuld be aunswearid as heerafter followith upon theyr Accessse unto her in the Presence of the same her Counsell.

HER Majestie first movid them to repete their Motion made to the said Erle of *Leicestre*, and Sir *William Cecil*, lest they twoo had (as they might for lack of Memory) misconceave the same. And after the said Bishop had reiteratid the said Motion, as above is mentionid, the Quenes Majestie said, that it was not unknowen unto them, and
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especially unto the *L. Herris* who had longest treatid heere² in, how desirous she always had beene to have this Cause of theyr Queene her good Sister well ended to her Honor, and specially that she might be prooved free from the greate hay-nous Crimes by common Fame imputid to her. And therefore howsoever they had the Office to speake on her behalfe, as her Servants in this manner to make a Motion of Appoyntment, she could not forgett her Office as a Friend and Sister. And therefore trusting and wishing that the Queene her Sister shuld be found innocent, as they themselves had always given good Assurance therof, she thought it better for her Sisters Honour, and Declaration to the World of her Innocency, to have the Erle of *Murray* and his Complices chargid and reproovid for this theyr so audacious defaming of the Q. their Souveraigne, and to receave that which was due for their Punishment, than to have it endid by appoyntment, except it might be thought that they should be able to shew some apparent just Causes of suche an Attempte, wherof her Majestie wold be sorry to heare. And as for the Q. of *Scotts* comming in Parson to her Majestie to make Answer heereunto, the same being of no small Moment to her Honor, but rather likely to touche her in Reputation, in that it might be thought the Accusation so probable as it wear not to be improoved by any other, but that she shuld be forcid to come herself (being a Queene) in Parson to answer

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swear for her selfe, her Majestie said, she wold not have the Quenes Honor and Estate in that Manner indaungered, without this theyr Accusation might first appeare to have more likelyhud of just Cause than she did finde therein: For she rather hoped that the same shuld be found to be devisid without just Grounde; And so fynding it, the Quenes Honor shuld be thereby saved, without eyther any Composition by Appoyntment, or any Necessitie of Answere: And so the Accusers might be usid according to theyr Desertes: And therefore her Majestie concludid it to be best for the said Quene, that the said Accusers should be roundly chargid and reprovid heerin, and according to that which they should Answere therto, the Quenes Majestie wold let them knowe her Meaning and Opinion, eyther for this Motion of ending the Cause by Appointment or otherwise, for the coming of the *Scottish* Q. into her Presence, which she so muche had allwais desirid, as nothing could have stayid the same but this unhappy Chaunce, and common Reporte made of her in so horrible a Cause.

HEREUNTO the Q. of *Scottes* Commissioners said, that this last Motion for an Appointment cam not from the Q. since the Accusation given in by the Erle of *Murray*, (and so also the Quenes Majestie assentid therto) but of theyr owne Consideration partly gatherid of the Desire they had to have things quietly endid, partly also upon the Q. theyr

Mistresses Disposition knowen unto them at the Begynning of this Treaty, and also before, that this whole Cause shuld be endid by the Quenes Majesty, by some Appointment. And seing her Majestie lyked not therof they renewed their Request that their Mistres might com up in Parson to answere. Wherupon the Quenes Majestie contynuing in her former Resolution, said as before, That she thought it better for the Honour of the Q. her Sister, to have her clearid upon reproving the Accusers, as she trustid she shuld, than to have the Matter wrappid up by any Appointment. And yet bothe in that Motion, and also for her comming up hither in Person, they shuld know her Pleasure, if she shuld finde any furdre Cause requisit for the same. And for making of her Answere (which they much pressid) her Majestie ment nevir to deny the same if Cause so requirid, cyther before her self, or before other meet Persons, or any other ways that she might fynd convenyent and honorable.

WHERUNTO the said Commissioners said, that her Majestie might heerein doo her Pleasure; but they thought it not reasonable in the Cause of private Parsons to have any Prooves requirid of Accusers until som Answear wear made. To which her Majestie answerid, that she meant not to require any Prooves, but contrariwise to charge the Erle of *Murray* as reason was, and to reprehend and impugn the Accusation by all good Meanes in the Favour of the

said Q. of *Scottes* : And yet if the Accusers wold needes therein persist, and for theyr Defence shal allege any thing, her Majestic wold receave the same for hir own Satisfaction, and theruppon the same shuld be duely declarid to them the Queenes Majesties Commissioners, or to her self as they shuld find it meetest. And theruppon they shuld have Answer to these theyr Motions as well for the ending of the Cause by Appointment, as for her aunswering for her self, as Cause shuld require.

A Paper in the Hand-Writing of Sir William Maitland of Ledingtoun, Secretary of Scotland, indorsed by Sir William Cecil Secretary of England, as follows; 1568. A Devise of Lyddyntons at Hampton-Court, How the yong Prince of Scotland should remayn Kyng, and yet the Quene not deprived.

IT wolde be denounced in the next Parliament to be holden in *Scotland*, that wheras the Q. haiffing Consideration of the troublesome Estate of that Realme, and being wearyed by the excessive Travell, which the Government of that People doeth bring with it, and thairwithall for the motherly Affection which naturally she did beare to

the Prince of *Scotland*, her onely moast deare Sonne, whose Conservation and Advancement she must tendre more than any other worldly thing, being carefull of his Estate, and desirous in her owne Tyme to see his Throne established in the Kingdoeme; Wherunto God by Discent of Bloode had provided him to be her next and lawfull Heyre, had in the Moneth of *July* the Yeare of oure Lord 1567. by hir Lettres signed with her Hand, framed a kynde of Dimission of her Crown in the Favouris of her said Sonne then Prince, to the Effect he myght be inaugurat in the Kingdome. In which goode Affection althogh she doeth yet constantlye remayne, and wisheth that the enjoying of the said Kingdome maye endure of long Continewance in his Person with all the Prosperitie that a loving Mother can wishe to hir naturall and beloved Chylde, yet least her good will towardes hir Sonne, whiche wes onely directed towardes his Person, myght be extended to further Intentis, then were eyther at that Tyme meant by herself, or yet presently she can lyke of, she will construe her owne meanyng, as it then wes, and yet as to the End it maie be of all Men conceived after the same forme as it wes meant in the Begynnyng, which wes that her Sonne sholde be honored, served, and obeyed by all her Subjectis of *Scotland*, as their naturall Kyng, and be for all Respectis their King in deade without Challenge to the contrary. And yet seing that Favour wes
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by her intended no further then to his onely Personne, his Meanyng wes not so far to deprive her selff of all princely Estate, and to be put from the Ranc of Princes, that she wolde not still remayne Queene, be taken abroad for Queene, and so consequently alwayes of the Worlde be honored as Q. and that as she wes borne to a Kingdoome and crowned a Q. being yet in her Cradill before she knew what a Kingdoome wes, so she is determyned to dye a Queene, and not the les for the motherly Affection which she doeth beare towards her Sone, willeth in no wise that the same be derogatory to his Estate; but that all thingis towching the Administration of the Affaires of State and Subjectis, therof pas in his Name during his Lief and in his Minoritie under the Regiment ellis appoincted by her, and allowed by the Estates in Parliament. Provided also that the same Dimission and inauguration of her Sonne in the Kingdoome, be no wyse preiudiciall to her Interest to the Crown, remanyng always in her Person in caiss it shall happin (as God forbid) that her said Sonne be taken from this mortell Lief before her. But that in that caiss she maie immediatlye retourne to the full Possession of the Croun and Kingdoome, after the same Maner and Sort as they myght haif bene before the said Dimissioun, and if the same and all thingis tharon depending had never bene put to Execution. For soche wes her Meanyng from the Begynning, and yet is in no wise so far

far to deprive hir self, that the same myght any wyse be preiudiciall to her self in the Causses before rehearsed, or yet towche in any sort the lawfull Yssue of her Body, or redownd any way to hir Dishonour, but rather to be counted she hath meant it for the Proffite of hir deare Sonne and her owne Quietnes.

THE Declaration foresaid of her Meanyng wold be red and receaved in Parliament, and not only allowed and accorded by the whole Estates assembled thairin, and so to haiff full strenth for all Tymes cuming and bypast: But also it wolde be sett furth, that the whole Estates do acknow- ledge in the Q. a singulair and rare goode Will towards her Sonne, whiche hath breade in her this Disposition to see him during her owne Lief settled in hir Kingdoome: And therefore wold be sorry this hir motherly Affection wer misconstrued, or that it wer takin by the Worlde as a Deprivation of Estate for other intentis not meant or thoght of by the Statis, or yet that any soche misliking had taken Roote cyther in her Hart to hate her Subjectis, whome she could not but love as her Children, or in thame that thay were inclined to cast of the Yoke of their dewtiful Behaviour towards her, so that cyther of bothe had a Desire to dissolve the natural Band which by God is knyt betwix the Prince and Subjectis. Nor yet wes their any soche Meanyng in the Subjectis of *Scotland*, to preasse hir with any Deprivation
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of Estate, or go about any soche Dimission for any Cause. But seing it hath pleased her to desier thayme in her owne Tyme to professe towards her Sonne that Dewitie whiche after hir Lief Gods Ordinance doth oblise thame unto: As in that behalf they wolde not refuse to submite thaimselfis; So shall she well perceave by their Behaviour, that thay still owe unto her selff Love, Honnor, and Reverence as becumis thame of theyr Dewity, whiche thay will professe to thair Liffis End.

The Journal of the Commissioners,

INTITLED,

The Session at Westminster Dec. 6. 1568. wherein the E. of Murray and his Commissioners were reproved for accusing of the Q. of Scotts.

AT twae of the Clocke in the Afternone, when all the Quenes Majesties Commissioners weare assembled in thaccustomid Chamber to have declared to the Erle of *Murray* and his Collegues the Quenes Majesties mislikeing of their late Accusation of the Q. their Soverain, For which Purpose the said Erle and his Collegues ought for to be theare present, the Bishop of Ross and his Collegues
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sente one Mr. *Borthick* to require that they might com to
 the said Commissioners to declare certen Matter. Where-
 uppon the said Commissioners preferringe the said Motion
 to be considerid before they procedid with the said Erle
 of *Murray*, sent to the said Bishop, to understand, whether
 the Matter which they had to declare was of suche Impor-
 tance as weare meete to be understoode before they should
 speake with the Erle of *Murray*, who was presently with
 them all, ready to speake with them. Wherunto the Bi-
 shop answered, that their Desire was to speake firste with
 them. And so her Majesties Commissioners moveinge the
 Erle and his Partie to withdrawe themselves aparte, sent
 for the said Bishop, who with his Collegues beinge com,
 said, that they had considered with themselves, since their
 beinge uppon *Saterdaie* laste with her Majestie; That
 whear they did then perceave that her Majesty mente to
 proceede with the Erle of *Murray* and his Partie, to require
 Proofes uppon the Allegations produced againste the Q. their
 Soverain, they came to declare that they coule no further
 proceede in this Conference, but for their Partes woulde
 protest, that excepte the Q. their Mistress might appere in
 Person, before the Quenes Majestie, to answeere for her
 selfe, this Conference might be dissolved: And to that Ende
 they had conceavid their Meaninge in Writing, which they
 produced and read. Wherin because they did otherwise
 repeate the Quenes Majesties Answer made unto them on

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Satterday, then was bothe plainly and manifestly knowen unto her Majesties Commissioners, which weare at *Hampton-Court* in presence of her Majestie at the giveinge of the Answer to them, The same was by them all with one Consent ymprovid, and thereupon answered, That they could not receyve the same Writeinge of her Majesties Answer without prejudicing of the Truthe it selfe and manifeste Offence in their own Consciences. And for those Respects, they requirid the said Bishop and his Collegues to retaine their Writeinge with themselves, offeringe neverthelesse that if they would at any Time offer any Writeinge unto them to this Purpose, or any other conteyninge the Quenes Majesties Answer accordinge to the Truth therof, they would willingly receyve the same. And so the said Bishop reiteratinge in Wordes their Request by way of protestinge that they meant neither to treat nor compeare any more in this Conference, they went their waie.

AFTER this don the Erle of *Murray* and his Collegues cumminge to the Quenes Majesties Commissioners, weare chargid in the Quenes Majesties Name by the Lord Keeper in this Manner followinge.

MY LORDS, the Quenes Majestie uppon the Consideration had of that you call your Eyke, beinge an Addition to your former Answer, hath commandid us to saye unto you, that her Highness thinketh very muche and very strange, that beinge Native Subjects to the Q. of *Scotts*, should accuse

cuse her of soe horrible a Cryme, odible bothe to God and Man, a Cryme against Lawe and Nature, wherby if you should prove it true, she should be infamous to all Princes in the Worlde. And therefore hathe willed us to saye unto you, that althoughe you in this Doeinge have forgote your Duties of Allegiance towarde your Soveraine, yet her Majestie meaneth not to forget the Love of a good Sister, and of a good Neighbour and Freinde. What you are to answer to this we are heare readye to heare. Whereunto the said Erle and the reste with him answered, That they trustid, it had appearid by their former Proceedinges bothe at *Yorke* and heare, howe loathe they weare to enter soe farre as they have done to make any Accusation of the said Q. For their cominge at the first was by the Quenes Majesties Commandement uppon the Motion of the said Q. of *Scotts*, to answer to suche thinges as wherewith they should be chargid, which they had done at *Yorke*: And therein they thought they had shewed good Matter for mayntenance of their Doenges, without entringe into any Accusation of the said Q. And if their Adversaries could have bene contented to have staied theruppon, they would not have entred further: But seinge they coulde not be allowed to make their Defence as they had done, but that their Adversaries by way of Replication would contynue the charginge of them soe many waies with Disobedience, where indeede by their former Answer they used noe other Speeche

for their Defence, but such as was lawfull for them by the laste Acts of Parliament; wherein was as great a Presence of the three Estates of that Realme as had byn at any Time these hundred Yeares before: They must requier the Quenes Commissioners to consider, that this their entringe further into the Matter wherwith the Q. is to be chargid, proceedeth not of them, nor of any Pleasure they can take to heare her any waies touch'd in Honor; but of their Adversaries, whose heareby may appeare to have less regarde of the Queen, though they pretende to be her Commissioners themselves. And soe with sondry Speeches tendinge all to this Effecte, and remembringe their former Protestation, they said, for more Satisfaction of the Quenes Majestie, whome they founde by the Speeche lately used unto them to be greivously offended for the Manner of their Accusation of the Q. they would shewe unto her Majesties Commissioners a Collection made in Writinge of the Presumptions and Circumstances, by the which it should evidently appeare, that as the Erle *Bothwel* was the chiefe Murtherer of the K. So was the Q. a Deviler and Maynteyner thereof; the which Writeinge followeth thus, *Articles conteyning certaine Conjecturs, &c.*

AFTER the readinge hereof they alsoe said, that accordinge to the Truthe conteyned in the same, the three Estates of Parliament called by the K. now present, their whole Actions and Proceedings from the Murther of the late K. weare ratified and approvid to be lawfull. In which Parliament they

they said, amongst the three Estates, some of them which be now their Adversaries were present, and gave their Voyces to the same without Contradiction. And besides that a greater Number of all the Estates had not byn known in any Parliament these hundred Yeares before.

WHEREFORE they trusted that the Quenes Majestie beinge duely therof informed, would not be so grievously offended with them, as it appeared to them she was, nor thinke them culpable in these their Docings. And therwith they did alsoe presentte to her Majesties Commissioners the Copie of the said Acte of Parliament, and also the Names of all the three Estates theare assembled, subscribed by the Register of the Parliament; The Tenor of bothe which Writings hereafter followe. *In the Parliament holden and begun at Edenboroughe, &c.*

THE abovementioned Act of Parliament is that which is printed in the second Vol. of these Collections, page 220. entitled, *Anent the Retention of our Soverane Lordis Motheris Person.* And in the same second Vol. p. 228. is printed the Names or List of the three Estates, assembled in that Parliament.

The Journal of the Commissioners,

Die Mercurij (Wednesday) viij *Decembris* 1568.
at Westminster.

Corrected and interlined in several places with Secretary *Cecil's* Hand.

THIS Daye the Erle of *Murray* according to the Ap-
poyntment Yesterdaye cam to the Quenes Majesties
Commissioners, sayeing, that as they had Yester-
night produced and shewed sundry Wrytings tending to proove
the Hatred which the Q. of *Scotts* bare toward her Husband to
the Tyme of his Murdre. Wherin also they said might appeere
speciall Arguments of her inordinate Love towards the E.
Bothwell; so for the further Satisfaction both of the Quenes
Majestie, and theyr Lordships, they weare ready to produce
and shew a great Number of other Letters wrytten by the
said Q. wherin as they said, might appeere very evidently
her inordinate Love towards the said E. *Bothwell*, with sun-
dry other Arguments of her guiltynes of the Murder of her
Husband. And so therupon they produced 7 several Wrytings
wrytten in *French* in the lyk Romain Hand, as others her
Letters which weare shewed Yesternight, and avowed by
them to be wrytten by the said Q. Which seven Wryt-
ings being copied weare red in *Frenche*, and a due Colla-
tion

tion made therof as neere as could be by reading and inspection, and made to accorde with the Originals, which the said E. of *Murray* required to be redelyvered, and did therupon deliver the Copies being collationid. The Tenors of all which seven Wrytings heereafter follow in ordre, the first being in manner of a Sonnet.

O Dieux ayez de moy, &c.

(*This Sonnet and the Letters are printed in the Detection Vol. 2^d of these Collections, p. 115. &c.*)

AFTER this they did produce and shew three several Wrytings in *Englishe*, subscribed and signed by Sir *John Bellendyn* Knight, Justice Clerk in *Scotland*, wherof the first conteynid two several Examinations, the first of *John Hays* the Younger of *Tallow* the 13. of *Dec. Anno 1567.* the second of *John Heyburn* called *John of Bowton*, being examynid upon the Murdre of the K. the 8th of *Dec. 1567.*

THE second Writing conteynid thExamination of one *William Powray* xxiii. *Junij 1567.* and in the same Paper a second Examination of the said *William Powray* the 3^d of *July* then next following.

THE third Writing conteynith thExamination of one *George Delglych* the 26. of *June* in the same Yeare 1567. All which Wrytings were also produced being signed by the Hand of the foresaid Sir *John Bellenden* the Justice Clerk, and being red were delivered to the said Commissioners, the true Tenor wherof heerafter followeth, *Apud Edinbourgh 13. Die Mensis Septembris, &c.*

AFTER

AFTER thir they produced and shewed furth in Writing subscribed likewise by the said Justice Clerk, a Copie of the Proces, Verdict, and Judgment against the foresaid *John Hayeborn John Haye, William Powrye, and George Dalglech*, as culpable of the Murdre of the said K. which being red was also deliverid, as the Tenors thierof hereafter followethe, *Curia Justiciarie S. D. N. Regis, &c. (The Examinations of these Criminals and their Tryal are printed in the second Vol. of these Collections, p. 165. &c.*

AFTER this they produced and shewed fourth a Wrying in a long Paper, being (as they said) the Judgement and Condemnation by Parliament of thErle *Bothwell, James Ormeston, Robert Ormeston, Patrick Willson, and Paris a Frenchman, Sym. Armstrong, and William Murray*, as guilty foundry wayes of Treason for the Murdre of the K. The Tenor wherof thus followeth, *In the Parlement holden at Edinbrough the 20. Daye of Dec. &c.*

Note, The authentick Extrañt or Exemplification of this Act of Attainder of the foresaid Persons under the Hand of Mr. James Makgill, then Clerk Register of Scotland, is in the Paper Office, but is somewhat spoiled with Water, yet as much remains very legible as shews the Substance of it to be as above.

AFTER this they produced and shewed a Writing signid by Mr. *James Macgyll* Clerk of the Register, conteyning a Request by way of Protestation by the Earls of *Huntly and Argile*, and the Lord *Herrys*, by the which they require to have no Faulte imputed unto them for not doing their
Ducty

Duety since the 10th of *June* 1567. untill the 29th of *Dec.* then following, for the which by ordre of Parliament they weare acquitted. Which Wryting was produced by them to shew in what sorte the said Earls and the Lord *Harrys* had acknowledged in Parlement their Obedience unto the K. The Tenor of which Wryting followeth, *In the Parlement holden at Edinboroughe the 29th Dec. 1567.*

Ane authentick Extract or Exemplification of a Protestation in Parliament upon the 29th of December 1567. by the Earls of Huntley and Argyle and by the Lord Harrys.

IN the Parliament haldin at *Edinburgh* the 29th of *December* the Zeir of God 1567. The quhilk Day, noble and mychtie Lordis *George Erle of Huntlie*, Lord *Gordon*, and *Badzenach*, &c. *Archibald Erle of Ergyle*, Lord *Campble* and *Lorne*, &c. and *Johne Lord Hereis* protestit every ane of thame respective for thameselffis, That na Falt suld be imput to thame nor ony of thame, for ony Caus bygane, committit, or done be thame sen the 10th Day of *Junij* last bypast, albeit thai haif nocht done sik thingis as thai suld haif done obedientlie and as became thame of thair Dewtie, My L. Regentis G. in presence of the thre

X

Estatis

Eftatis of Parliament declarit that he forgaf and forgevis the faidis Erlis and Lord for ony Occafion bygane: And ficlike all uther Liegis of this Realm, quhilks will in tyme cuming affist to the Kingis Majestie and his Regent in the Effairis tane on hand be him, and the Perfonis affistand to thame and Punifhement of the Murtheur of the K. and their eftir the forfaid Declaratioun maid be my L. Regentis Gr. being votit be the thre Eftatis of Parliament. Thay in likewise declarit according to the forefaid Declaratioun of the faid L. Regent. quharupoun the faidis Erlis and Lord askit Instruments. *Extractum de Libro Actorum Parliamenti per Magist. Jacobum Makgill de Rankillour Nether Clericum Rotulorum Registri & Consilij S. D. N. Regis sub meis signo & subscriptione manualibus.*

JACOBUS MAKGILL.

AFTER this they also produced and shewed in Wryting signid by Mr. *James Makgill* an Acte befoir the Lords of Sessions in *Scotland*, conteyning the Queenes Declaration, That she did remit to thErle *Bothwell*, &c. the ravishing of her coming from *Sterling*; the Tenor wherof thus ensuith, At *Edinburgh* the 12th Day of May, &c. (*This Act is printed in the first Vol. of these Collections, p. 87.*)

The

The Journal of the Commissioners,

*Apud Westminster Die Jovis (Thursday) 9^o. die
Decembris 1568.*

Corrected and interlined in several Places with Secretary *Cecil's* Hand.

THE Quenes Majesties Commissioners being occupied in perusing and reading certain Lettres and Sonnets wrytten in *French* being duly translatid into *English*, and other Wrytings also exhibited Yesterday to them by the Erle of *Murray* and his Collegues, The Bishop of *Rosse* and Lord *Boyd* sent one *Borthick* to require Accessse for them to be heard, which was graunted to be at one of the Clock after Dynner; and the lyke Motion being made from thErle of *Murray* for Accessse also, the same was appoynted to be at two of the Clock. And so the Commissioners proceded untill dynner Tyme in the hearing and perusing of the foresaid Wrytings.

At one of the Clock, the Bishop of *Rosse* and the Lord *Boyd* came alone without the Lord *Herris* and *Kilwenning* or any other Person, and requirid the Commissioners to receive a Wryting in a long Paper, which was subscribed by the said Bishop and Lord *Boyd*, and allso by the Lords

Harrys and *Kyllwennen* in Forme of a Protestation. Which Wryting being consydered by the said Commissioners, and found therein underwrytten, presentid and given in to the Quenes Majesties Commissioners, &c. by the Quenes Commissioners of *Scotland* at *Westminster* the 6th Daye of *Decr.* &c. by the said Bishop, Lord *Boyd*, Lord *Herris* and *Kilwennin* being Commissioners of the Q. of *Scotts*, and so also subscribed by them foure : Where indeed the same Wryting was not presented either the said 6th, or at any other time before this present 9th Daye, nor was now exhibited but by the said Bishop and the Lord *Boyd* only. The said Commissioners shewed unto the said Bishop and Lord *Boyd* the same Mattir, who for Answear said, that because they and the other two had presented one Writing the 6th of this Monith, wherin was conteyned a lyke Protestation as this was, which was not receavid by theyr Lordships, for that in the same the Quenes Majesties Answear was not expressed, as theyr Lordships affyrmid it to have bene given by hir Majestie, they had now in this Wryting exhibited this 9th Day alterid and refourmid the same, and that was the Cause why they had so wrytten under this Wryting now exhibited. And hereupon being requirid to shew the other Wryting which they offred upon the 6th of this Moneth, to conferre the Difference of them both, the same was produced, and theruppon it was founde that

these two Wrytings did differ concerning the Report of the Quenes Majesties Answere, and in the End also in some other small Sentences, and so both the Wrytings weare receavid this present Day. And for the Truth of the Circumstances hereunto belonging to be hereafter better undirstandid, special Clauses weare by consent of both Partyes added under every of the said Wrytings by the publick Notary there present, and weare read in the Presence of the Quenes Majesties Commissioners, and of the said Bishop and Lord *Boyd*. The Tenor wherof with the Subscriptions hereafter followeth, *My Lords Commissioners, &c.*

AND in like Manner the second.

The Protestation exhibited by the Commissioners of the Q. of Scotland, To the Commissioners of the Q. of England, wherin is ingrossed the Supplication presented to the Q. of England upon the 3d Day of December 1568.

Ane Original.

MY Lordis Commissioners for the Qwenis Majestie of *England*, in this present Conference, We Commissioneris for the Q. Hienes of *Scotland* our Sovereane, being adwyfit with our Commissione and Instructions,

ons, did signifie unto zour Honours the first Day of this instant Moneth off *December*, that wee culd on na wayes answer to the Additione and Eike given in be the Earle off *Murray* and his Complices, her Hienes inobedient Subjects, excepte first it war granted that our said Soverane Ladie sould be permitted to cum to the Qwenis Majesties Presence of this Realme, to ansuer for herselfe, and declare her awin Innocence: For nother had the Qwenis Majestie of this Realme, nor zour Honours her Hieness Commissioners, nor We Authoritie or Power to pronounce or conclude in ony thing concerning her Honour, Persone, Crowne, or Estate, as our formair Protestatione maide in the Beginning off this Conference att *Westminster* the 25th Day of *November* dois proport. Quhairfor we desirit to haiff had Presense of the Qwenis Majestie your Sovereigne, and to present an Supplicatione to her Hienes to that effect, quhairof we geff your Lordships ane Copie of the Tenor following.

* PLEIS your Majestie albeit in our Reply at *Tork* to the contrived and siegned Answer of *James* Earle off *Murray* and his Adherentis, In respect of Cheritie and of our Soverainis Clemencie to be extendet towarts theme notwithstanding their disloyall and unnaturall Desartis, the rather for your Majesties Plesure, and that thai mycht for zour Hienes saik haiff bene againe unyted to that Bodie and Com-

* Follows the Request or Supplication mentioned in the Journal 3. Dec. p. 133.

mone Welth, quherof our Soverane Ladie is the Heid in
Scotland, wherefrae their busie untrew Inventions has cutt
 thayme of and sould haiff bene no farder hard, Wee re-
 plyed cauldely and myldlie without ony railing (and zet
 trwelie) not provoiking theme to any injurie, as thai now
 unjustlie allege. Thairefter it pleisit zour Majestie for zour
 Hienes better Satisfactione, and that our Soverains Causis
 sould be better hard to revocat the Hearing of this Con-
 ference to zour Majesties self, and zour Hienes honorable
 Commisshoneris; In quhois Presense at *Westminster* we exhi-
 bited a Protestatione in the quhilk the Crowne, Estate, Per-
 sone and Honour of our Soverane is excepted to be tuiched:
 nor zet ony wyse to proceid judicialie, quhilk was weell ref-
 savit and admitted by thair Honours, zit the grounded Usur-
 patione of the said Earle and his and thair obdurate Malice
 is so gryte, That contrare thare naturall Dewtie to the
 Quenis Hienes there Soveraigne, quha hes advaunsed thame
 of hir large Liberalitie with sa mony Benefitts, contrare al-
 swa our Protestatione and trew Meaning of this Confe-
 rence, Thay haif sa untrewlie inveighed aganis the Honour
 of our Soverains maist noble Persone, and be implicatione
 wald pearce the Rycht and Dignitie of hir Estaite, Crowne,
 and Rewyne of hir Bodeye: Quhereby thai haif first for thair
 Part violated and brokin this Conference, and our Soverains
 Clemencie never heirefter to be extendit unto theme, as
 there

there wiked Defarts requyris. And for our part in Respect off the Premisses hes just Caus to dissolve the samyn, and swa to leif off, zit considering thair injurious and intollerable Proceadings afoir this Tyme be secreit Surmyfis, salving thair untrew Sklanderis agains our said Soveranis Honor; and now publiclie, zea and desperatelie braiging to Cloik thairby thair treasonable Doingis; we cannot let the Anker hald of our Dewtie, first to God, and nixt to our Sovereigne sa far slip as thair pernicious and detestable Doingis sould altogidder pass away with Silence. Bot seeing the Caus dois twitch so heychlie our Mastres Honour and Estate, being specialie commandit be hir Hienes in case ony other thing war proponit of new, that was not of before gevin in at *York* concerning hir Crowne, Estaite, Persone, or Honor, that it mycht be zour Majesties Plesure, that forsameikle as the said Earle of *Murray* with his Complices, hir Hienes Rebellis hes gottin alreadie Presence of zour Hienes; And admitted before zour Majesties Commissioners to callumniat hir Honor, That tharfor we mast humblie and effectuislic desyre that it may be your Hienes Plesure, our said Soverane Ladie may be permitted to cum in proper Persone to zour Majesties awin Presence and off zour Nobilitie, And in the Presence also of the haill Ambassadouris of other Cuntreys, now resident within this zour Hienes Realme, to declare hir Innocencie and to mak zour Majestic and thayme understand

stand the untrew invented Callumnies of hir saidis Rebellis for the better Defence of hir Gracis Honor, Satisfactione of zour Hienes, and all other Christiane Princes and guide Subjectis quhatsumever, quhais Knowlege this present Conference fall cum unto. And wee doubt not bot zour Hienes, be the Adwyse of zour mast honourable and wyse Counsale, will grant this mast ressonable Desyre of our Soverane, sen Equitie and Reasone requiris, rather, that her Hienes being ane frie Princes and cum in this Realme, upon the Truist and Confidence she had in zour Majestie, hir gude Sister and nerrest Cousignes of Blwde in the Worldlie, sould be admitted in proper Persone to zour Hienes Presence, to declaire hir awin Innocencie; nor hir saidis Rebellis to haif had Presence to callumniate her Hienes Honor in her Absence: And also sen the saidis Rebellis hes takin upon theme injustlie and boldlie to accuse thair native Sovereigne, desyris also, that thay may be stayed and arrested be zour Majesties Authoritie, to answere upon sic haynous Attemptats as salbe laid to charge, and that it will pleis zour Majestie in consideratione of the Premissis, that wee haif zour Hienes Answere, quhilk we mast humblie requyre, that we may certifie our Soverane Ladie thair of, according to our Dewtie and speciall Commandement gevin us be hir Hienes thairto, subscrivit thus, Your Majesties maist humill and obedient Serviteurs leiffullie to command.

JO. ROSSEN.

R. BOYD.

HERRYS.

KILWYNING.

Y

Quhilk

Quhilk haiffing AudIENCE upone zour Lordships Procurement, we presented to hir Majestie at *Hampton-Court* upon the thrid Day of this Instant, subscryved with our Handis, and on the Morne thairefter being called befor her Hienes, zour Honours, and otheris of hir Majesties mast honorable Counsell; Becaus we culd not obtaine ane direct Answer till our Petitione and Supplicatione (the Desyre thairof being saressonable) did signifie unto hir Majestie in zour Presence, lyk as now presentlie we do unto zour Honors conforme to our Commissione and Instructions, that we consent on na wyse, that any farder should be proceidit in this Conference, nor zett our Soverainis disobedient and rebellious Subjectis, be hard to giff in ony pretendit Probatione for pruiſſing of thair said invented additione, unto the Tyme that the Qwenis Hienes our Soverane war present and hard, conforme to the Desyre of our said Supplicatione and Petitione. And we also solemnitie dois protest, in case zour Lordships proceide in the contrare, that quhatsumever has bene, or salbe done heirefter, sall not prejudice ony Manner of waye our Mastres and Soveranis Honor, Persone, Croune, and Estaite; and for our part dissolvis and dischargis this present Conference, haiffing speciall Command therto be our said Sovereigne in caise forsaid: And als in respect that giff hir awin Presence wer admitted (as all Reasone requiris,) her Hienes wald not alanerlie declair hir Innocence to the Satisfactione of the Q. Majestie heir and all Cristiane Princes,

but

but also wald mak hir rebellious Subjectis for thair haynous and evil Deserveingis, unworthie to compeir before ony Cristian Prince, to exhibite sic contrived and inventit Allegiance aganis thair native Sovereign, As heirefter to the Wardlie plainlie salbe knawin. And desyris that before ony farder proceading, This our present Petitione, Protestatione and Discharge, be insert in this Conference, and that wee haif the Doubill thairof auttentickie subscryved for our Warrant.

Presentit and gevin in to the Qwenis Majesties Commissioners of England, by the Qwenis Hienes Commissioners of Scotland, at Westminster the sext Day off December, in the Zeir of God ane thousand fyif hundreth threescore and eight Zeiris, and subscryved with thair Handis

JO. ROSSEN.	BOYD.
HERRYS.	KILWYNING.

THIS Writing, subscryved by the Bishop of *Ross*, the Lord *Boyd*, the Lord *Harris*, and *Kylwyning*, was this *Thursday* the 9th of this *December* in Thafternone exhibited to the Queenis Majesties Commissioners, by the Bishop of *Ross* and the Lord *Boide* only, and not by the Lord *Harris* and *Kylewyning* as above is mencioned.

WILLAM SAY Notarius.

AFTER this thErle of *Murraye* and his Collegues cam in lyk Manner; and first the Erle *Morton* said, that wher heretofore he had declarid by speache, the Manner how he cam to the lyttle Guilt Coffe with the Lettres, Sonnets, and Contracts of Marriage therin found, and heretofore exhibited; he had causid the same to be put in Wryting, which also he produced subscribed with his Hand, and desired to have it read, which being doone, he avowed upon his Honour, and the Oathe which he already took the same to be true, the Tenor wherof followeth, *The true Declaration and Reporte &c.*

AFTER this, thErle of *Murray* required that one *Thomas Nelson*, late Servitor to the King that was murdered, who did lye in the Kings Lodging the same Night that he was murdered, and scaped by reason of a gret Ston wall betwixt the Kings Chamber and that place wherin he did lye, might be hard upon his Othe to reporte his Knowledge therein, who being produced did present a Wryting in form of an Answere of himself to an Examination, which being red unto him he did by a corporal Oath affirm the same to be true, the Tenor whereof followeth thus, *Thomas Nelson sometime Servant, &c.*

The Evidence of Thomas Nelson concerning the Murder of King Henry Darnley.

Marked with Secretary Cecil's Hand.

THOMAS NELSON sumtyme Servand in the Chambir to wmqhill King *Henry* of guide Memory of *Scotland*, examinat upoun his Conscience declaris that he wes actuall Servand to the King the Tyme of his Mwrthour and lang of befoir, and came with him frome *Glasgow* the Time the Quene convoyit him to *Edinburgh*; Item, the Deponar remembris it wes dewysit in *Glasgow*, that the King suld haif lyne first at *Craigmyllare*: Bot becaus he had na will thairof the purpois wes alterit, and conclusioun takin that he suld ly besyde the Kirk of *Feild*, at quhilk Tyme this Deponir belevit evir that he suld haif had the Duikis Hous, and knew na uther Hous, quhill the King lychtit, at quhilk Tyme he past derectlie to the said Duikis Hous, thinking it to be the Lugeing preparit for him: Bot the contrare wes then schawin to him be the Quene, quha convoyit him to the uthir Hous, and at his cuming thairto, the Schalmir wes hung, and ane new Bed of blak figurat Welwet standing thairin. The Keyis of the Lugeing wes pairtlic standing in the Durris, and pairtlic deliverit to this Deponir be *Robert Balfour* awnir, all except the Key of that Dur,

4

quhilk

quhilk passit throuth the Sellare and the comun Wall, quhilk could noht be had, and thairfore *Bonkle* in the Sellare said, he suld clois it weill aneuch within, quhlkis Keyis wes kep-pit and usit be this Deponir, and utheris the Kingis Servandis, quhill the Quenis cuming to the Lugeing, at the quhilk Tyme, the Key of the laich Chalmir undir the King quhair sche lay tua Nytis, *viz.* the *Wednisday* and *Fraday* befoir his Mur-thour, with the Key of the Passage that past toward the Gardin, wer deliverit in the Handis of *Archibald Betoun*, as the Deponir remembiris, quhilk *Archibald* wes Yscheare of the Quenis Chalmir Dour, Befoir quhilk Tyme of the Quenis lying in the Kingis Lugeing the tua Nytis above namyt, sche causit tak down the uttir Dour that closit the Passage toward baith the Chalmeris, and causit use the samyn Dour as a Covir to the Bath Fatt quherin he wes baithit: And sua ther wes na thing left to stope the Passage into the saidis Schalmiris, bot only the portell Durris, as alsua sche causit tak down the said new blak Bed, sayand it wald be sulzeit with the Bath, and in the Place thairof sett upe ane auld purple Bed that wes accustomat to be carit, and the saidis Keyis that wer deliverit in the Handis of *Archibald Betoun* remanit still in the Handis of him and utheris that awaitit upon the Quene, and nevir wer deliverit agane to the Kingis Servandis: For sche sett upe ane grein Bed for hir self in the said laich Chalmir quherin sche lay the saids tua Nytis, and promist alsua to haif biddin thair upoun the *Sunday* at Nyt. Bot eftir

ſche had tareit lang and intertenit the King verey familairlie,
 ſche tuk purpois, (as it had bene on the ſuddan) and departit
 as ſche ſpak to gif the Mask to *Baſtyane*, quha that Nytwes
 mareit hir Servand; Namelic, the ſaid *Archibald Betoun*, and
 ane *Paris Francheman* havand the Keyis of hir Schalmir,
 quherin hir Bed ſtuid in, As alſua of the Paſſage that paſt to-
 wart the gairding: For quhen the Quene wes thair, hir Ser-
 vandis had the Keyis of the haill Houſs, and durris at hir
 Commandement, for upon the Nyt ſche uſit with the Lady
Rereis to ga furth to the gairding, and ther to ſing and uſe
 Paſtyme. Bot fra the firſt Tyme that ſche lay in that Luge-
 ing, the Kingis Sarvandis had nevir the Key of hir ſaid Schal-
 mir agane. The Quene being departit towart *Halyrud Houſs*,
 the King within the Space of ane Hour paſt to Bed, and in
 the Chalmir with him lay wmqhill *William Taylyour*. This
 Deponir, and *Edward Symonis* lay in the litill gaylery, that
 went derviſt to ſowth oute of the Kingis Schalmir, havand
 ane Windo in the gawill throw the Tounwall, and beſyde
 thame lay *Williame Tailzeirs* Boy, quhilks nevir knew of
 ony thing quhill the Houſs quherin thay lay wes fallin about
 thame: Oute of the quhilk how ſone this Deponir could be
 red, he ſtuid upoun the rwynous Wall quhill the Pepill con-
 venit and that he gat Claithis and ſua depairtit, quhill on the
Monounday at efter None he wes callit and examinat, and
 amangis utheris thingis wes inquirit about the Keyis of the
 Lugeing, This Deponir ſchew that *Bonkle* had the Key of
 the

the Sellare, And the Quenis Servandis the Keyis of hir Schalmir: Quhilk the Laird of *Tulybardin* hering said, hald thair heir is ane grund, Eftir quhilk Wourdis spokin thai left of and procedit na farther in the Inquisition.

THE lyk Request was made that one *Thomas Crawford* a Gentleman of the Earl of *Lenox*, might be also hard upon his Othe, who was, as they said, the same Party of whom Mention is made in a long Lettre wrytten in *French*, and exhibited the 7th of this Month, where it is said about the begining of the same Lettre, That a Gentleman of the Earl of *Lenox*, mett the Party that wrote the Lettre about four Miles from the Place where the Lettre was wrytten, As in the Copie of the same Lettre may appeere. Whereupon the said *Thomas Crawford* coming before the Commissioners, he did present a Wryting which he said he had caused to be made according to the Truth of his Knowlege, which being read he affirmid upon his corporal Othe there taken to be true, the Tenor wherof hereafter followeth, *The Words betwixt the Q. &c.*

AND after this was redd, the sayd *Crawford* sayd, That as soone as the Quene of *Scotts* had spoken with the King his Master at *Glasco* from tyme to tyme, He the said *Crawford* was secretly informid by the King of all things which had passed betwixt the said Q. and the King, to the intent he shuld reporte the same to thErle of *Lennox* his Master,
because

because the sayd Erle durst not then for Displeasure of the Quene come abroad; and that he did ymmediatly at the same Tyme write the same Word by Word as neere as he possibly could carry the same awaye: And sure he was that the Words now reported in his Wryting, concerning the Communication betwext the Q. of *Scotts* and him, upon the way neere *Glasco*, are the very same Words in his Conscience that weare spoken: And that others being reported to him by the King are the same in Effect and Substance, as they weare delyverid by the King to him, tho' not percase in all Parts the very Words themselves. The Confession of the said *Thomas Crawford* in Wryting heer-after followeth thus, *The Words betwixt the Q. and me, &c.*

AFTER this the said Erle of *Murray* and his Collegues produced another long Wryting in Royall Paper, subscribed by Mr. *James Makgill*, being as they sayd an Acte of Parliament, conteyning the wholle Form of the Dimission of the Crowne by the Quene, and of the Coronation of the King. The which Wryting or Acts in this manner followeth, *In the Parlement holden and begun at Edinborrough the 15th Day of December the Year of God 1567. (These two Acts are printed in the second Vol. of these Collections p. 206. &c.)*

The Journals of the Proceedings of the Lords of the Privy Council of *England*, with some of the Chief of the Nobility, called to meet with them at *Hampton-Court* the 14th and 15th Days of *December* 1568.

Corrected and interlined in several Places with Secretary *Cecil's* Hand.

Apud Hampton-Court Die Martis (Tuesday) Decem.
14th 1568.

THE Quenes Majesty commanded the Lords of her Privy Counsell to call unto them thErles of *Northumberland*, *Westmurland*, *Shrewsbery*, *Worcester*, *Huntington*, and *Warwyk*, To whom being assembled with the said Councell was declarid, That hir Majesty according to hir Declaration hertofore made unto them of the Cause of their calling to hir Presence, which was as she should find cause so to participat unto them (as being principall Persons of the Nobility of hir Realm) the State of the Cause of the Q. of *Scotts*: So now also finding much Tyme to be spent in the Hearing of the same since their coming, and yet neyvertheless as much don as possible was
to

to be don with in this Time, and the Matter at some staye by meanes that the Q. of *Scotts* Commissioners have refused any more Conference: Hir Majesty thought good, not knowing how by common Report they might be therof informed, to let them understand truly and playnly the State of the same, as herein making them her Counsellors, specially to kepe the same secret to themselves, without prejudicing of the one Part or the other, by any final Opinion or Determination to be conceived with themselves: Which as hir Majestie ment to observe for hir self, so would she gladly have it observed by them. Which Intention of hir Majestie being declared unto the said Lords, they all thanked her Majestie for this her favourable Goodnes so to esteeme of them, and promised to observe hir Majesties Direction, both in the Secrecy and in the Suspension of their Judgments.

THIS being done, the whole Proceedings of the Commissioners first at *York*, and next at *Westminster*, untill the last Session ended at *Westminster* about the 10th of this Moneth, was to them sommarely declared and repeated: Wherin besides many Circumstances tending to make Demonstration of the Sincerity of the Quenes Majestie and hir Commissioners, there was briefly shewed unto them, how the Q. of *Scots* Commissioners first accused the Erle of *Murray* and his Colleagues, being now in Commission for and in the name of *James* King of *Scots*: And how they did therto

make Answer, by Justification of themselves by the Lawes of the Realme, without any speciall depraving or calumniating the Honour of the Quene: And next that of the Replication of the other Party. And furder was declared, how herupon the same Treaty and Conference upon reasonable Causes was removed to *Westminster*; and in what sort the same Conference was there revived; And how the Erle of *Murray* and his Colleagues being charged to Answer the Replication, after Protestation made, were unwilling to procede any furder to touche the Name and Honor of the Quene, if their Adversaries had not pressed them with lack of Loyalty. For Remedy wherof they produced by way of Addition to their first Answear, wherein they avowed, that as the Erle *Bothwell* was the Executor of the Murder, so was the Q. of *Scots* a Procuror and Devisor of the said Murdre. And after this was likewise declared unto the said Erles, according to the severall Memorials therof alredy made and put in Writing, the Acts passed in all the former Sessions at *Westminster*; For the more perfect Declaration of all which said Acts, there was first produced a Writing in manner of Articles, which was exhibited to the Commissioners the 6th of *December*, as appears in the Memoriall of that Session.

AND before those Articles were redd, there were produced sundry Lettres written in *French*, supposed to be written
by

by the Q. of *Scotts* owne Hand to the Erle *Bothwell*; and therewith also one long Sonnet, and a Promise of Marriadg in the Name of the said Quene with the said Erle *Bothwell*. Of which Lettres the Originalls supposed to be written with the Q. of *Scotts* owne Hand, were then also presently produced and perused; and being redd were duly conferred and compared for the Manner of Writing and Fashion of Orthography, with sundry other Lettres long since hertofore written and sent by the said Q. of *Scotts* to the Quenes Majesty: And next after these was produced and redd a Declaration of the Erle *Morton*, of the Maner of the finding of the said Lettres, as the same was exhibited upon his Othe the 9th of *December*; In collation wherof no difference was found. Of all which Lettres and Writings, the true Copies are contained in the Memoriall of the Acts of the Sessions of the 7th and 8th of *December*.

AND after this were also produced and redd, the Examination of *John Hays* the Younger of *Tallowe*, and of *John Hepborne*, and *George Dalglys*, (who were executed at *Edinburgh* for the said Murder) whiche be conteyned amongst the Acts of the Session of the 8th of *December*. And next after that was redd the Confession and Deposition of *Thomas Crawford*, conteyned amongst the Writings of the 9th of *December*.

AND

AND forasmuch as the Night approched, it was thought good to differ the furder Declaration of the rest untill the next Day following.

Die Mercurij (Wednesday) Decem. 15th 1568.

THE Lords of the Privy Counsell having thErles before mentioned with them, declared, That where Yesterday mention and report was made of a Booke of Articles being devided into five Parts, they shuld also see and heare the same Booke, And so the same was throughly and distinctly read unto them. And after the same was produced and redd, the Deposition of one *William Powery*, one of the four that was executed at *Edinburgh*, as the same Deposition was exhibited the 8th of *December*. Next wherunto was produced, redd and viewed, the originall Writing, supposed to be written by thErle of *Huntley*, being a Contract of Mariage betwixt the Q. and thErle *Bothwell*, dated at *Seaton* the 5th of *Aprill*, and subscribed by the Q. and thErle *Bothwell* with their owne proper Handes, as was alledged. The true Copy wherof is amongst the Things exhibited the 7th of *December*. After this was also produced and redd, the Extract of the Arraynment and Deliverance of thErle *Bothwell*, by an Assise at *Edinburgh* the 12th of *April* 1567 according to the Copy therof, being amongst
the

the Writings exhibited the 7th of *December*. Next after this was also produced, redd and viewed, a Writing subscribed, dated the 10th of this Month of *December*, subscribed by the Erle *Murrey* and his Colleagues, to testify the former Writings produced as written by the said Q. of *Scotts*, to be hir owne Hand Writing. Which also is to be seene amongst the Writings exhibited to the Commissioners the 12th of *December*. (*This Writing is printed Vol. 2. p. 259.*)

THERE was also produced and redd, a Writing of an other Deposition of *Tho. Craufurd*, upon his Othe exhibited to the Commissioners the 13th of *December*, concerning certen Answers made to him by the foresaid *John Hepborne* and *John Hays*, upon the Scaffold in *Edinburgh*, instantly before their Execution.

THERE was also produced, redd and shewed to them, the Forme and Manner of the holding of the Parliament at *Edinburgh* the 15th of *December* 1567. Wherin the Nombrs of the three Estates were there expressed, and alledged to be as great an Assembly of the said Estates, as had ben any time by the Space of one hundred Years before : Which Writing also is conteyned amongst the rest exhibited the 9th of *December*.

THERE was also Report made unto them of an Act of Parliament made at the same Time, conteyning the Confirmation of the Dimission of the Crowne by the Q. of *Scotts* and

and of the Coronation] of hir Sonne, and of the Regency in the Parson of the Erle of *Murray*. At which Parliament hath ben alledged, that the Erles of *Huntley* and *Argile*, and the Lord *Herrys*, did acknowledg the same Authorities: And for that Purpose, as a Writing was produced before the Commissioners the 8th of *December*, to prove the same, so was the same Writing redd this present Day; which Writing is amongst others exhibited the said 8th Day.

BESIDES the production, reading and shewing of these sundry kinds of Writings here before mentioned, considering the length of Time that was spent in the reading the foresaid Writings, many of them being of great length, there was a short and just Report made of sundry other Matters which were exhibited to the said Commissioners, as the same may playnly appeare amongst the Acts of the severall Sessions of the said Commissioners at *Westminster*; As the Acts of the two severall Dyvorcees which are of great length in Writing, and the Acts of Parliament for the Attaynder of all the Parsons charged with the Murder. And it is to be noted, that at the Time of the producing, shewing and reading of all these foresaid Writings, there was no special choyse nor regard had to the Order of the producing thereof, but the whole Writings lieing altogether upon the Counsal Table, the same were one after an other shewed rather by happ, as the same did lye upon the Table, than with any
choyse

choyse made, as by the Natures therof, if time had so served, might have ben. And in the end it was sayd unto the said Erles, that in this sort they were now made participant of the whol State of the Cause, even as largely as the rest of her Majesties Privy Counsell were: And therefore they were newly again required to have in remembrance hir Majesties first charg to have the same kept in secret by them as her Counsellors in this Cause. And that where the Q. of *Scotts* Commissioners being made privy of this the Accusation of the said Quene, have forborn to answer to the same, and refused also to have any further Conference in this Matter, pressing only to have the Q. their Mistris permitted to come to the Presence of the Quenes Majestie to make her Answer, and otherwise to make no Answer at all; It hath been considered by her Majestie and not thought unmeet in this sort, following to answer the said Commissioners, if they shal persist in the said Request; That her Majestie will be very willing and desirous, that some good Answer may be made by the said Q. either by her Commissioners and Delegates, or by her own self, before such sufficient Persons as her Majestie would send to her: But considering her Majesty had at her first coming into the Realm, found it not mete for hir owne Honor to have her (being so commonly defamed of so horrible Crimes) to come to hir Presence, before she might be therof some wise purged, So also now the Crimes (wherewith she hath ben by common

Fame burdened) being by many vehement Allegations and Presumptions, upon things now produc'd, made more apparent, she can not without manifest Blemish of her own Honour, in the Sight of the World, agree to have the same Q. to come into her Presence, untill the said horrible Crimes may be by some just and reasonable Answer avoided and removed from her, which her Majestie would wish might also be.

AND in this sort her Majesties Intention being opened to the said Earls in presence of the said Privy Council, the said Earls severally made Answer, first acknowledging themselves much bound unto her Majesty, that it had pleased her to impart to them the State of this great Cause in so plain manner, as they did perceive it: Wherin they had seen such foul Matters as they thought truly in their Consciences, that her Majestie had just Cause herein given to make to the said Commissioners such an Answer, being as reasonable as the Case might bear, and the rather for that they could not allow it as meet for her Majesties Honour, to admit the said Q. to her Majesties Presence, as the Case now did stand.

Note, *According to the forsaide Resolution of Q. Elizabeth and her Privy Council, she made Answer to the Q. of Scots Commissioners at Hamptoun - Court the next day, and caused putt the summe of it in Writing, which was as followes.*

Apud Hampton-Court xvj^o Decembris 1567.

THE summe of hir Majesties Answer to the Bishop of *Ross*, the Lord *Boyd*, Lord *Hereis*, and the Abbot of *Kilwynning* in the Presence of the Lord Keipar of the great Seall, the Duke of *Northfolk*, the Marqueis of *Northamptoun*, the Erles of *Suffex*, *Bedford* and *Lecester*, the Lord *Clintoun* Lord Admiral, and Lord *Howard* Lord Chamberlane, Sir *William Cecill* Knight principall Secretary, Sir *Rauff Saidler* Knight Chancellor of the Duchy of *Lancaster*, and Sir *Walter Myldmaye* Knyght Chancellor of the Exchequer, Wes, That quhair thair Requeist laitlie exhibited to hir Majestie consisted-upoun two Poyntis, the one that the Quene thair Maistres might cum to the Presence of hir Majestie, and thair mak Ansuer to the Materis wherin she was chargid: thother gif that war not admitted, that thai might be permitted to forbear frome any forder Conference theirin; hir Majestie hade at that same tyme answerit, (as they weill knew) that she thought it more mete

to haif the said Quenis Subjectis reprowed for thair audacious Maner of Accusatioun of the Quene thair Soverane (the same being but generallie in Wordis) then as though the same wes to haif bene creditid, to haif hade hir come up to answir in Persown: According to whiche Answer then so gevin, hir Majestie tould thame that she hade caused the Lordis hir Commissioneris furthwith to call the Erle of *Murraye* and his Cumpany before thame, and verraye scharplie to charge thame for thair so audacious Proceedingis, as being disloyall and contrary to the Dewtie of gud and trew Subjectis, and not to be suffred to pas unpunished: Wherupon the said Erle and his, being accordinglie reprovied, answerit that none of thame ment at ony tyme to haif utred ony thing in Reproche of the Quene, Bot being directlie chargit by thair Adversaires with such great Crymes as thai could not pas over without condempning thameselffis unjustlie: And thairfor according to a Protestatioun whiche thai hade before that tyme, to that Effect exhibited, and to avoyde and acquit thameselffis of the same Crymes, thai war unwillinglie forced for thair awin just Defence to proceid as thai haif done, and for Menteynence therof thai hade produced and shewit to the saidis Lordis hir Majesties Commissioners suche Matteris as ar werraye great and apparant Presumptions and Argumentis, to confirme the former common Reportis of the Crymes imputed to the said Quene. Off whiche Matteris hir Majestie by the Declaratioun of hir Commissioneris, hade

also understanding to hir great Admiratioun and no small Greaf, newir looking to haif hard of fuche kynd of Matteris and so mony againft hir. And now thairfor confidering thair war come agane to requeir a further Anfuer, hir Majestie faid, thair fould haif a refolute Answer in this fort. Hir Majestie wold caus the fame Matteris to be opened and difcovered to hir, gif fo that ſhe wold be content to agre to make direct Anfuer thairto, for fo hir Majestie thocht it neceſſarie, and als wiſhed it to be ſo ſufficient as myght acquit and diſcharge hir: For the Maner wherof ſhe ſaid ſche wold propound to thame thre maner of wayes, The one was, for hir to ſend ſum truſtie ſufficient Perſoun or mo, therto authoriſed with her Anfueris; thother wes for hir ſelff to gif hir Answer to fuche nobill Men as hir Majestie wold (gif ſo ſhe liked) ſend to hir; And the laſt wes to appoynt and authoriſe either theis hir late Commiſſioneris, or any uther to mak Answer before hir Majesties Commiſſioneris: But as for hir cuming to hir Prefence, confidering at the firſt quhen ſhe come into this Realme hir Majestie could not fynd it then agreabill to hir Honour, ſhe being then defamit only be common bruyt both heir and abroad in moiſt Partis of Chriſtendome, muche les could ſhe now think it meit and honorabill for hir to cum to hir Prefence, confidering the Multitude of Matteris and Preſumptions now laitlie producit agains hir, fuche as indeid greifed hir Majestie to think of, and thairfor hir Majestie requyrit thame to accept this hir Majestiz

Answer,

Answer, and to mak report therof be sending the same to hir, or uther vyse (as thai wold all or sum of thame) to cary the same unto hir, thinking it alwayes werraye necessary for hir to mak Answer, For otherwise whosoever shuld advise hir to forbear making Answer, heaving sa many wayes to do the same, onlie becaus she myght not cum to hir Majesties Presence, howsoevir thai sould seme and appeir to be gud Servantis for hir, surely, they should rather be thoght and juged (for sum uther respects) to betraye hir. And thairwith hir Majestie requyred thame to considder weill as hir Servauntis, of this that she said, for it cannot be weill takin in the Warld for a ressonable Excuse, if she be innocent (as hir Majestie wished hir to be found) to suffir hir selff to be noted culpabill of suche horribill Crymes, only for laik of cuming to hir Majesties Presence, and in no wyse to cleir hir selff to the Warld be any maner of Answer. Neyther could she fynd how the Quene should more reddylic procure hir awin Condemnatione, then to refuse to mak Answer, and so with many mo suche lyke Wordis and Spechis uttred at guid lenth not here remembrit, her Majesties earnest meaning did appeare that she wold gladlie the said Quene mycht acquit hir selff by some resonabil Answer, and so ended.

Examinatur per me R. JONES.

A Letter

A Letter from Queen Elizabeth To Queen Mary.

Ane Original.

MADAME, whiles your Cause hath bene here treatid upon, We thought it not needfull to write any thing therof unto you, supposing always that your Commissioners wolde thereof advertise as they sawe Cause. And now sithen they have broken this Conference by refusing to make Answer, as they say, by your Commandement, and for that Purpose they return to you. Although we thinke, yowe shall by them perceive the whole Proceadinge, yet we cannot but let youe understand by these our Letters; That as we have bene very sory of long tyme for your Mishappes and greate Troubles, so find we our Sorrowes now doubled in beholding such thinges as are produced to prove your self Cause of all the same. And our Griefe thairin is also increased, in that we did not thinke at any tyme, to have seen or heard such matters of so great Apparence and Moment to chardge and condempne yowe; Nevertheless both in Friendship, Nature, and Justice, we are moved to cover these Matters, and stay our Judgement, And not to gather any Sense thairof to your Prejudice, before we may hear of your direct Answer therunto, according as your Commissioners understand our Meaning to be, whiche at their Request is delivered to thayme in Wryting. And as we truste they will advise youe for your Honor to agree to make Answer, as we have

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motioned

motioned them, so surely we cannot but as one Prince and nere Cousine regarding an other, most earnestly as we may in termes of Friendship, require and chardge you not to forbear from answering. And for our Parte, as we are hartely sorry and dismaide to find such matter of your Chardge, so shall we be as hartely gladde and well content to hear of sufficient Matter for your Dischardge. And althoughe we doubt not but you are well certified of the Diligence and Care of your Ministers having your Commission, yet can we not besides an allowance generallie of them, specially note to you, your good Choice of this Bearer, The Bishoppe of *Rosse*, who hathe not only faithfully and wisely, but also so carefully and dutifully for your Honor and Weale behaved himself, and that both privatly and publickly, as we cannot but in this sort commend him unto yowe, as we wishe you had many suche devoted discrete Servants. For in our Judgment we thinke, ye have not any that in Loyalty and Faithfulness can overmatche him, and this we are the bolder to write, considering we take it the beste Trial of a good Servaunte to be in Adversitie, out of which we wishe you to be delivered by the Justification of your Innocency. And so trusting to hear shortly from youe, we make an Ende. Given at *Hampton Courte* under our Signet the xxist of *December* 1568. in the Leaventhe Yeare of our Reigne.

Your good Sister and Cousin,

ELIZABETH R.

A Letter from Queen Mary of Scotland, To the Earl of Huntley, Her Lieutenant in the North of Scotland, the 5th of January 1568-9.

An Original.

RIGHT traist Cousigne and Counsalour we greit you weill. We haif reffavit your Lettre be the Beirar heirof daitit the v of this last Moneth, and hes confiderit the same: Notwithstanding that we haif written to yow laitlie anent the Estait of our Affaires sa ample as we war informit thair of; yitt this present is to schaw yow, That My Lord *Boyd* our traist Cousigne and Counsalor, wha arrevit heir frome the Court the 27th of the said Moneth, hes declarit to ws how our Rebellis has done the worst thai could to haif dishonourit ws, quhilk (thankis to God) lyis not in thair Power, bot by thair Expectatioun hes found thame selffis disappoynted of that thai lookit for. Thai procure now to seik Appoyntment, Bot albeit we be not of sic Natour as thais that forgevis never, not-the-les we shall caus thaim acknowledge thair Folishnes, and the said Quene our gud Sister, and hir Counsale knaw thair fals Inventions and Offences practisit againis ws to cullour thair Trahisoun and wickit Usurpation, swa that it salbe manifest to all the Warld, quhat Men thai ar, to our Honour, and Content-

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ment

ment of our faythfull Subjectis. For (prayſit be God) our Friendis increſeis and thairis decreſeis daylie: Ze ſall reſſaif ane Lettre be this Beirar to be ſubſcryvit be zow, and our Couſigne the Erle of *Argyle*, quhilk is maid be my Lord *Boyd*s Adwyſe, conforme to the Declaratioun ze maid to our traift Counſalor the Biſchop of *Ros*, he knowing your Deliberatioun and Will thairuntill. And albeit we know thair is na neid to uſe ony Perſwaſioun toward yow, whairthrow ze may be drevin to that whairintill ze can haif na-thing bot Reputatioun and Honor, And ſeing it is for zour juſt Defence calomniat be the Unfaithfulnes and Trahiſoun of our Rebellis, zitt we thocht gud to wryt unto zow this preſent, praying yow to ſchaw, that the Vertew quhilk is in yow and Equitie of our Caus maye not endure our Adverſares and zours to uſe ſic bragging (quhilk be the faythful Raport of our Commiſſioneris and uthiris, that ar in the Court of *England*) ze maye underſtand thai mak aganis ws and zow twa, amangis the reſt of our faythfull Subjectis. As to our Part we ar reſolut not to ſpair thame in ſetting the Veritie to thair Leyis, and hoipis (with the Grace of God) and Equitie of our Caus, That all quhilk thai haif allegeit aganis ws ſhall fynd the ſame to thair awin Schame and Confuſioun. We refer to zour Diſcretions to eik and pair the ſaid Lettre as ze ſall think beſt, and extend it in ſic Forme as ze ſall think maiſt neceſſare, praying zow to ſend us the ſame agane ſubſcrivit and ſeillit the ſoneeſt ze maye,

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to the Effect it maye be producit togidder with the rest
of the Accusations, quhilk we intend to gif in aganis our
Traitors. Ze sall als ressaif ane Copie of the Quene our
Sisteris Answer to our Commissioneris Supplication,
quhilk ze maye considder: Mairattour, we haif under-
stand that ze are in propos to change the Provost of *Elgin*,
quhilk we wish and prey zow not to do, bot reteine him
quha is in the same Office alreddy sa lang as he remains
constant and faythfull to ws, swa that thair be na uther
putt in place as ze will do ws Pleisur, and report our Thankis
thairanent. Referring the rest to the Beirar, quhom ze will
credit; Committis zow to the Protectioun of Almytie God.
Off *Bowtown* the 5th of *Januer* 1568.

Zour richt gud Cousignes,

and assured Friend,

MARIE R.

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The

*The Protestation of the Erles of Huntley and Argyll,
Touching the Murther of the King of Scots.*

A Copy.

WE George Erle of *Huntlie*, Lord *Gordoun*, and Great Chancellor of *Scotland*, and we *Archibald* Erle of *Ergile*, Lord *Campbell* and *Lorne*, and Greit Justitier of the said Realme; It mott be kend till all and syndrie quhais Knowledge thir Presentis fall cum, how we being informit that sum disobedient Subjectis to the Quenis Majestie our Soveraine Lady, for excuse and covering of thair taking Armor agains hir Hienes, impresoning of hir maist nobill Persoun, usurping of hir Graces Auctoritie, practising the Keiparis of the principal Places and Fortereffis of hir Realme, invading thair of, reving and spoiling Hir Majesties pretious Meubles, Jewills, and Stains of greit Valor, durst in leying falsly and calumniously accuse hir Hienes to haife bene of the Foirknowledge, counsalit, dewysit, perswadit, and commandit the Murthor committed in the Persoun of umquhile *Henry Stewart* her Majesties Husband; Will for the Dewitie of gud and faythfull Subjectis, and Discharge of our Consciencis afoir God and the Warld, declair that quhilk we know of the said Murthor. That is to saye, In the Year of God 1566 Yeiris, in the Moneth of *December* or thairby, after her Hienes greit and extreme Seiknes and retourning
from

from *Jedwart*, her Grace being in the Castell of *Craigmillar* accompaneit be us above written, and be the Erlis of *Bothuel*, *Murraye*, and Secretaire *Lethingtoun*, The said Erle of *Murraye* and *Lethingtoun* come in the Chambre of us the Erle of *Ergile* in the Morning, we being in our Bed, quha lamenting the Banishment of the Erle of *Mortoun*, Lordis *Lindsay* and *Rowen*, with the rest of their Faction, said, that the Occasion of the Murthor of *David* slaine by them in Presens of the Quenis Majestie, was for to trouble and impesche the Parliament; quhairin the Erle of *Murray* and others sould have bin forsalded and declarit Rebellis, and seing that the same was chieflie for the Veilfar of the Erle of *Murraye*, It sould be estemit Ingratitude gif he and his Friends in reciproque Manner, did not interpoyse all that wair puissance for relief of the saids Banished, quhairfor thai thocht, that we of our Part sould have bene as desyreous thairto as thai war. And we agreing to the same to doe all that was in us for thair Relief, provyding that the Quenis Majestie sould not be offendit thairat. On this *Lethingtoun* proponet and said, that the nerrest and best way till obtaine the said Erle of *Mourtounis* Perdoun, was to promise to the Quenis Majestie, to fynde an Moyen to make Devorcement betwixt hir Grace and the Kinge hir Husband, wha had offendit hir Hienes sa hielie in mony wayes: Quhairunto we answering, That we knew not how that myght be done, *Lethingtoun* said, (the Erle of *Murraye* being ever present)

present) My Lord cair you not thair of we fall fynde the meane weil aneuch to make her quyte of him, so that ye and My Lord of *Huntlie* will onlie behald the Maiter, and not be offendit thairat, and then thai send to My Lord of *Huntlie*, praying him to come to our Chalmer; This is as thai dealit with us particularlie, now latt us schaw quhat followit eftir that we war assemblit. We Erle of *Huntlie* being in the said Chalmer, the saidis Erle of *Murraye* and *Lethingtoun* oppynit the Matter lykwise to us in manner forsaid, promesing if we wald consent to the same, that thai sould fynde the Meane to restoir us in our awin Landis and Offices, and thai to stand gud Freind unto us, and caus the said Erle of *Mortoun*, *Rowen*, and all the rest of that Company to do the like in tyme coming. Our Answer was, it sould not stop be us, that the Matter come not to effect in all myght be proffitful and honourabill baithe for thame and us, and speciallic quhair the Pleasor, Veill and Contentment of the Quenis Majestie consisted. And thairon we foure, *viz.* Erlis of *Huntlie*, *Ergile*, *Murraye*, and Secretaire *Lethingtoun*, past all to the Erle of *Bothuellis* Chalmer to understande his Adwyse on thir thingis proponit, quhairin he ganefaid not mair then we. Swa thairefter we past altogidder toward the Quenis Grace, Quhair *Lethingtoun* eftir he hade rememberit hir Majestie of ane greit Nombre of grevous and intollerable Offencis, that the King (as he said) ingrait of the Honour ressaivit of her Hienes
hade

hade done to Her Grace: And continowing every Day from
 evil to worss, proponit, That gif it pleasit hir Majestie to
 perdonne the Erle of *Mortoun*, Lordis *Rowen*, and *Lynd-*
saye with thair Company, thai sould fynde the Meanes with
 the rest of the Nobilitie, to make Devorcement betwixt her
 Hienes and the King hir Husband, quhilk sould not neid
 her Grace to mel thairwith. To the quhilk it was neces-
 sary, that hir Majestie take heid to make Resolution thairin,
 asweill for hir awin Easment asweill of the Realme, for he
 troublit hir Grace and us all; and remaining with her Ma-
 jestie wald not ceis till he did hir sum uther evil Turne;
 quhen that her Hienes wald be mekill impeschit to put
 Remeid thairto. Eftir thir Persuasions and utheris dyvers,
 quhilk the said *Lethingtoun* used, by theis that every ane
 of us schew particularlie to hir Majestie to bring hir to the
 said purpose, Hir Grace answerit, That under twa Condi-
 tions she might understand the same, The ane that the De-
 vorcement war made lauchfullie, The uthir that it war not
 Prejudice to hir Son, uthirwise her Hienes wald rather en-
 dure all Tormentis and abyde the Perrelles that myght chaunce
 hir in hir Graces Lyfyme. The Erle of *Bothuel* answerit,
 That he dowlit not bot the Devorcement micht be maid;
 but Prejudice in any wyse of my Lord Prince, alleging the
 Example of himself, that he ceissit not to succed to his
 Fatheris Heritage without any difficulty, albeit thair was
 Devorce betwixt him and his Mother. It was als proponit
 that

That eftir thair Devorcement, the King fould be him allane in one part of the Cuntry, and the Quenis Majestie in ane uther, or ells he should reteir him in ane uthir Realme; and heiron her Majestie said, That peradventure he wald change Opinioun, and that it war better that she hir self for ane tyme passit in *Fraunce* abyding till he acknowlegit himself. Then *Lethingtoun* taking the Speache said, MADAME fancie ye not we ar heir of the principall of your Graces Nobilitie and Counsale, that fall fynde the Moyen, that your Majestie fall be quyte of him without Prejudice of your Sone, and albeite that My Lord of *Murraye* heir present be lytill les scrupulus for ane Protestant, nor your Grace is for ane Papist, I am assurit he will looke throw his Fingeris thairto, and will behald our Doeings, saying nathing to the same. The Quenis Majestie answerit; I will that ye do nathing quhairto any Spot may be layit to my Honor or Conscience, and thairfor I pray you rather let the Matter be in the Estait as it is, abyding till God of his Goodnes put Remid thairto; that ye believing to do me Service may possibill turne to my Hurt and Displeasor. MADAM, said *Lethingtoun*, let us guyde the Matter amongis us, and your Grace fall si nathing bot gud and approvit be Parliament. Swa after the Premissis, the Murther of the said *Henry Stewart* following, We juge in our Conscience and haldis for certane and treuth, that the saids Erle of *Murraye* and Secretary *Lethingtoun* war Autors, Inventors, Devyseris,

Devyseris, Counsalors and Cauferis of the said Murthor in quhat Manner or be quhatsumevir Personis the same was execut. And quhair the saidis Erle of *Murraye* and *Lethingtoun*, or any of thame will denaye and gainsaye to the foresaid, we are deliberat to defend the same be Law of Armes as our awin proper Honor, in quhatsumevir Place thai will cheise in *Scotland* afoir the Estaitis their- of; Owt of the quhilk Realme we cannot pass be resoun of the Trublis are thairintill: And gif the Quenis Majestie of *England* plessis to send any in hir Name to heir and se the Premissies defendit; That same sal be putt to Execution in thair Presens. And albeit that *Lethingtoun* be nouthier of Quality nor Bloode equal unto us, notwithstanding we will admitt and ressaif him in Combat with the said Erle of *Murraye*, gif thai will baith present thameselfis thairto. And quhair ane of thame only wold deny and ganesaye it that is afoir reherfit and accept the said combat, outhier the ane or the uthir of us shall ressaif the same, protesting that gif thai answer not directlie to this our present Attestatioun, Declaratioun, Accusation, and Cartell, thai salbe repute giltie and vainquesiet of the said Murthor. In Witness of the quhilk we have Subscryved thir Presentis with our Handis and Sealis of our Armes affixit thairto, at the Day of and at the Day of the said Moneth the Yeir of God ane thousand five hundred threscoir aucht Yeiris, and of our Soueraine Ladyis Reginne the xxviith Yeir.

*Ane Answer by the Earl of Murray Regent, To the
forsaid Protestation pasted on the Back therof,
19 January 1568-9.*

Ane Original.

BECAUSE the Custume of my Adversaries is and
hes bene, rather to calumpniat and back bite me in
my Absence then before my Face, and that it maie
happen thaim when I am departit furth of this Realme,
slanderouslie and untrewlie to report untruthis of me, and
namely, towards sum Spechis halden in my Hearing at *Craig-
millar* in the Moneth of *November* 1566. I haif alreddie
declarit to the Quenis Majestie, the Effect of the haill Pur-
poses spokin in my Audience at the same Time sincerely
and trewlie, as I will answer to Almighty God, unconcel-
ing ony part to my Remembrance, as hir Hienes I traist will
Report: And farther in Case any Man will say and affirme,
That evir I was present quhen ony Purposes was halden at
Craigmillar in my Audience, tending to ony unlawfull or
dishonorable End; or that evir I subscrivit any band there,
or that ony Purpos was haldin anent the subscribing of any
Band be me to my Knowlege. I avow they speke wicket-
lie and untrewlie, quhilk I will mantene againis thame as
becums an honest Man to the End of my Lyff, onlie this

far the Subscription of Bandis by me is trew, That indeed I subscrivit an Band with the Erlis of *Huntlie, Ergile, and Bothuile* in *Edinburgh*, at the Beginning of *October* the same Yeir 1566, Quhilk wes devisit in signe of our Reconciliation, in Respect of the former Grudgis and Displeffors that had bene amongis us: Quhairunto I was constrenit to make Promis before I culd be admittit to the Quenis Presence, or haif any schew of her Favor; and thair was nevir na uther Band ethir maid or subscrivit, nor yet proponit to me in ony wyse before the Murthor of umquhile the King, Father to the King, now my Soveraine: Nowthir yit aftir the Murthur wuld I evir for ony Persuasion agree to the Subscriptioun of ony Band, Howbeit, I was earnestlie urgit and pressit thairto be the Quenis Commandment: This far I thochte guid to put in write and leif behynde me; In cais (as I haif before said) my Adversares in my Absence halde speche and Report untrew Materis of me, to my Dishonor or Disadvantage. Subscrivit with my Hand at *London* the Nyntene Day of *Januar* 1568.

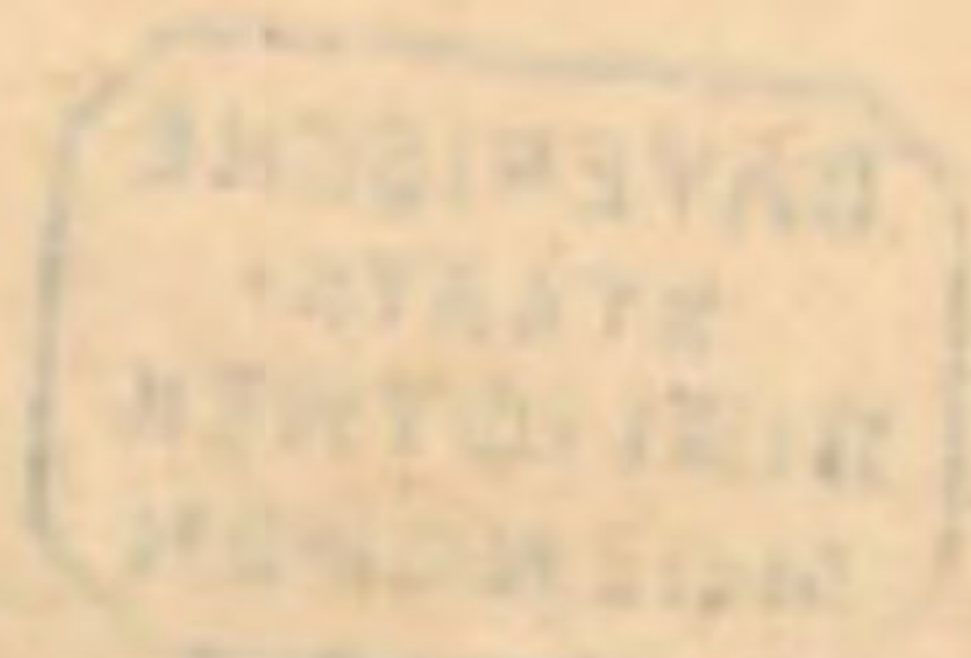
JAMES REGENT.

Below is writen in Secretary *Cecill's* Hand, Thus

19 *Januar* 1568.

An Answer of the Erle of Murray to a Wryting of the Erle of Huntly and Argyll.

The



The Allowance of the Proceedings of the Earl of
Murray Regent, and the Lords Commissioners
 that were with him in *England* Dated 12 Feb.
 1568-9.

Apud Striviling xii die Mensis Februarij, Anno &c. 1568.

Sederunt i. e. present

<i>Jacobus Dominus Regens</i>	<i>Commend. de Dunfermling</i>	<i>Computorum Rotulator</i>
<i>Joannes Comes de Atholl</i>	<i>Commend. de Balmerinock</i>	<i>Clericus Justiciarie</i>
<i>Jacobus Comes de Morton</i>	<i>Commend. de Dryburgh</i>	<i>Clericus Registri</i>
<i>Joannes Comes de Mar</i>	<i>Commend. de Cambuskennit</i>	<i>Spens Advocatus</i>
<i>Alexander Comes de Glen- cairne</i>	<i>Commend. de Coldinghame</i>	Commissioners for the
	<i>Commend. de Zuhithorne</i>	Burrowis of
<i>Willielmus Comes de Men- teith</i>	<i>Patricius Dominus Lindsay</i>	<i>Edinburgh</i>
	<i>Joannes Dominus Glamis</i>	<i>Striveling</i>
<i>Robertus Comes de Buchane</i>	<i>Alexander Dominus Saltoun</i>	<i>Dunde</i>
<i>Joannes Magister de Gra- hame</i>	<i>Joannes Dominus Inner- meyth</i>	<i>Pebles Glasgow</i>
<i>Willielmus Magister de Marschell</i>	<i>Alanus Dominus Cathcart</i>	<i>Coupar</i>
	<i>Andreas Dominus Uchiltre.</i>	<i>Sanctandros</i>
<i>Andreas Magister de Errole</i>	<i>Secretarius</i>	<i>Perth</i>
<i>Episcopus Orchaden.</i>	<i>Thesaurarius</i>	<i>Haddington.</i>

THE haill Lordis of the Privie Counsale and utheris
 of the Nobilitie and Estatis abovewrittin, allowit
 the Proceedings of My Lord Regents Grace, and
 Lordis Commissionaris that were with him in the Realm
 of *England*, the same Proceedings being declarit and red to
 thame.



1890

Anderson, James,

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